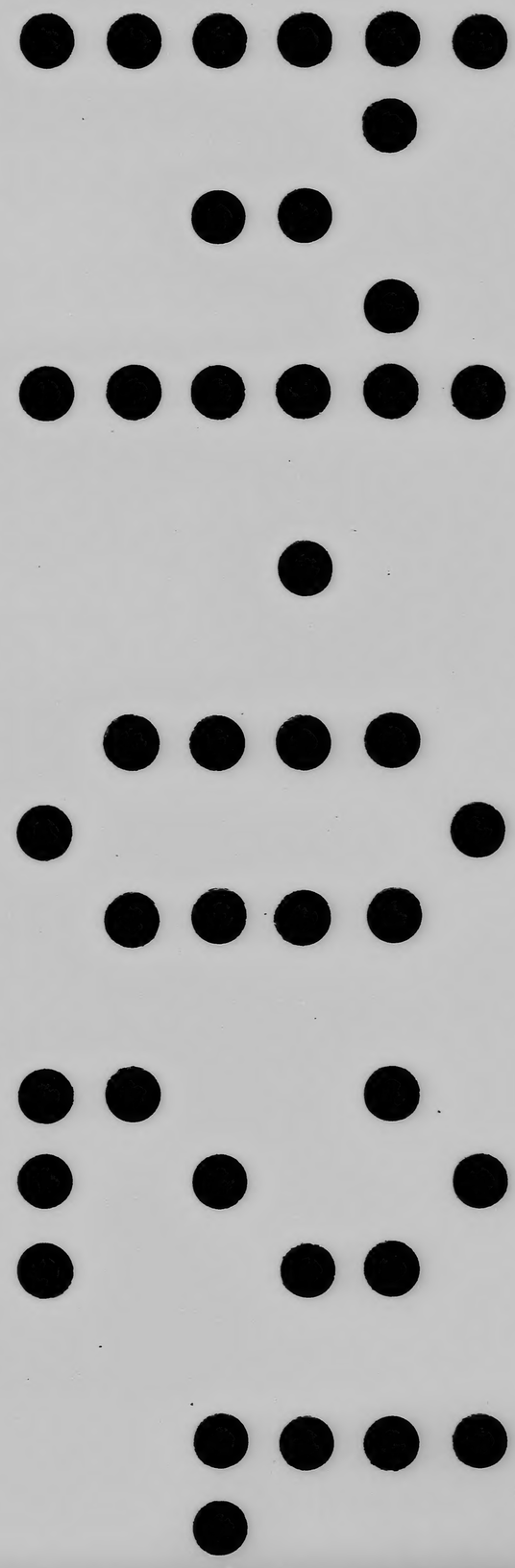

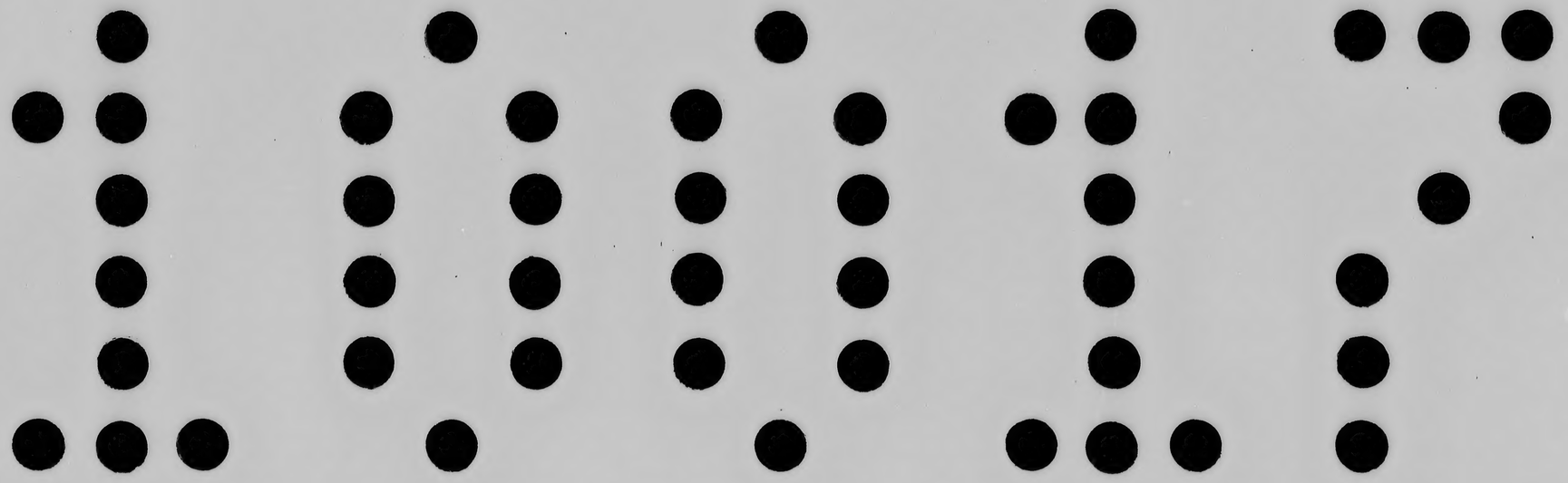

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# North Carolina Department of Archives and History

## Division of Archives and Manuscripts

## Raleigh, North Carolina

# BUNCOMBE COUNTY
# CITY OF ASHEVILLE
# COUNCIL MINUTES

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May 18, 1971

Monday, May 18, 1971 [illegible] Lansing, Michigan.

At the first meeting of the newly [illegible] City Council [illegible] Chamber at the City Hall, [illegible] presiding Mayor, [illegible] oaths of office to the following councilmen:

Plott Boyd
Walter C. Britt
H. G. Brookshire
Wilbur Devendorf
Ottis L. Green
Louis Lipinsky
Frank S. [illegible]
Tirkes Wimbolit
Julian A. Woodcock

Following the [illegible] by Mr. Woodcock, it was unanimously voted that Mr. Frank S. [illegible] chairman.

Mr. Smith [illegible] for Mayor. [illegible] Mr. Ottis L. Green, which was [illegible] elected Mayor.

Mr. Green then [illegible] nominated Mr. Lipinsky, [illegible] Mr. Boyd, seconded by [illegible] was elected.

Nominations [illegible] upon motion of Mr. Lipinsky, seconded by [illegible] elected. The newly appointed City [illegible] and take part in its further [illegible]

The following resolution offered by [illegible] unanimously adopted:

Resolved that the [illegible] o'clock, P. M. on Thursday evening of [illegible].

Mr. Smith submitted [illegible] and unanimously adopted:

I move that the [illegible] set of rules for the guidance [illegible] matter, and that this [illegible] Council.

Mayor Green appointed [illegible]

The following [illegible] unanimously adopted:

Resolved that [illegible] to and removals from the following offices and positions in the [illegible] of the City:

Offices and positions in the Department of Finance, [illegible] drawing less salary than the [illegible] System.

Offices and positions in the Department of [illegible] and paying less salary than [illegible] the Sanitary Superintendent.

Offices and positions in the Department of [illegible] and paying less salary than the Health Officer.

Offices and positions in the Department of Public Safety [illegible] and paying less salary than [illegible] of Police and Chief of Fire Department.

Offices and positions in the [illegible] Motor Transport, both the office of Motor Vehicle Inspector, then [illegible] of Motor Transport.

Mayor Green [illegible] nominations in order for Corporation Counsel. Mr. Wambolat nominated Mr. J. D. Merrimon of the firm of Merrimon, Aikens and Aikens, Corporation Counsel. This nomination was seconded by Mr. Smith voted on and Mr. Merrimon was unanimously elected.

Mr. Boyd offered the following resolution, which was seconded by Mr. Devenport and unanimously adopted:

Resolved that Wachovia Bank and Trust Company be designated as depository for Mr. Funsa, and that a depository bond in the amount of $15,000.00 be given by the Bank to secure the deposit of Mr. Funsa, and

Resolved, further, that the City Manager at any time he feels this bond is insufficient to cover the deposits of Mr. Funsa, report that fact to the Council.

Mr. Plummer informed the Council that a depository bond in the amount of $1,00[illegible] been given by the Home Savings and Loan Trust Company to protect the City deposits.

It was then moved by Mr. Boyd, seconded by Mr. Wambolat that the bond be raised to $100,000.

Mayor Green [illegible] nominations [illegible] for a member of the Civil Service Board to be elected by the Council. Mr. Wambolat's nomination Mr. T. A. Jones Jr. for the position, the nomination was seconded by Mr. Devenport, voted on and Mr. Jones was unanimously elected.

Nominations for the members of the Planning Commission were next in order. Mr. Smith nominated the following for membership:
A. H. Vanderhoof
[illegible] Glenn
H. B. Wills
C. V. Easton

Mr. Wambolat nominated Mr. [illegible] for [illegible] the Commission as named were unanimously elected.

The following [illegible] the Library Board were nominated:
[illegible] H. Wright by Mr. Boyd
Mrs. Fulton B. Glenn by Mr. Brookshire
Mrs. O. B. Anderson [illegible]

Nominations [illegible] Mr. Smith, voted on and unanimously elected.

The following resolution [illegible] by Mr. Brookshire, seconded by Mr. Wambolat and unanimously adopted all members voting "aye" the resolution was adopted.

I move the salaries of City officials and employees be as follows for the remainder of the fiscal year:

Mayor, [illegible] additional to his salary as Councilman, payable monthly

City Clerk, $150.00 a month

City Manager [illegible] per month, payable monthly

Corporation Counsel, $240.00 per month, payable monthly

Solicitor of Police Court, $[illegible].00 per month, payable monthly.

Salaries and wages of other City employees to remain on the existing schedule to the end of the fiscal year.



Mr. Devenport [illegible] be adopted, motion voted [illegible]

I move that Mr. [illegible]:

| | |
|---|---|
| Chief Accountant | [illegible] |
| Cashiers | [illegible] |
| Clerk in Police [illegible] | [illegible] |
| Clerk in Health [illegible] | [illegible] |
| Superintendent [illegible] | [illegible] |
| Non Salaried | [illegible] |

Moved by Mr. Devenport [illegible] to prepare resolution thanking [illegible] removing the City of Asheville [illegible]

Mayor Green [illegible] a suitable resolution [illegible] Council services rendered the City [illegible] the Board of C[illegible]

City Manager [illegible] requested by the Chief [illegible]

Mayor Green presented [illegible] showing cost of these elections, [illegible] City under the supervision [illegible] matters referred to the C[illegible]

Mr. Plummer stated [illegible] a sum of $200,000. to supply [illegible]

It was moved by Mr. [illegible], carried that the bond be [illegible],000.

There being no further business, the meeting [illegible] May 21, 1951.

Mayor [illegible]

May 21, 1941

[illegible], May 21, 1941 at [illegible] o'clock, P. M.

The [illegible] session: Mayor Geo[illegible]ing. The following Council[illegible] present: [illegible], H. G. Goodfellow, Wilbur Stevens, Otis E. [illegible], Louis B[illegible], [illegible] S. Smith, Edward Hazlett [illegible], Julian A. [illegible], Corporation Counsel, J. G. M[illegible]son, Secretary [illegible], and W. W. Plummer.

The minutes of the previous [illegible] were approved with the following corrections: [illegible] noted J. G. M[illegible]son Corporation Counsel, Mr. Lindsay noted [illegible] C. T. Anderson [illegible].

✓

Mr. P. E. [illegible] appeared before the Council requesting [illegible] reduction of benefit assessments [illegible] lot 1, [illegible], Summers Street to one-third of the original assessments of $1,[illegible]. He [illegible] the former [illegible] of Commissioners had made [illegible] reduction of one-third [illegible] reduction of another one-third.

Mr. S[illegible] [illegible] to present his [illegible] in writing.

✓

[illegible] for the guidance of the Council [illegible] the following resolution.

[illegible] OF BUSINESS
[illegible] OF [illegible].

Be it resolved: That, the following Rules and Regulations governing the [illegible] of business [illegible] meetings of the City Council:

Meetings: [illegible] Council shall be held, in the [illegible], on [illegible], in [illegible] meeting of [illegible], at 7:30 P. M., on Thursday of [illegible].

Parliamentary Procedure: [illegible]. All meetings of the Council shall be held, conducted and [illegible], unless otherwise [illegible], the Rules and Procedure of [illegible] in Cushing's Manual of Parliamentary Procedure.

[illegible] of the Council, the order of business [illegible]:

Order of Business:
[illegible] by [illegible]
[illegible] reading and [illegible] of Minutes:
[illegible] of petitions:
[illegible] to the Council:
[illegible] of the City Manager:
[illegible] of the Department of Finance:
[illegible].

[illegible] by Mr. [illegible] the foregoing [illegible] the order of business of the City Council of the City of [illegible] was [illegible] and unanimously [illegible].

✓

[illegible]

✓

Mr. [illegible] on behalf of Mr. [illegible], whereupon unanimously [illegible]:

[illegible] that the [illegible] City warrant [illegible] in the amount of twenty thousand ($20,000) [illegible] twenty [illegible].

✓

Mr. Plummer [illegible] that the salary [illegible] Mr. Gerald Cowan Director of the Department of Public [illegible] Director of the Department of Public Safety at a salary of $600.00 a month.

It was moved by Mr. Smith, seconded by Mr. Woodcock that the Council approve the recommendation of Mr. Plummer that the salary of Mr. Cowan be fixed at $600.00 a month.



May 21, 1941

Mr. Plummer [illegible]:

Mr. D. E. Sevier, [illegible]
Mr. P. Miller, Director of [illegible]
W. M. Smathers, [illegible]
Felton Davis, Superintendent [illegible]

Mr. Plummer stated [illegible] the position of Director of [illegible].

Mr. Plummer [illegible] be increased from $[illegible] to [illegible] per month.

This matter was [illegible].

Mr. Morrison [illegible]:

Mr. Comm[illegible]
Asheville, N. C.

Dear Sir:

It [illegible] Mr. Mayo, that [illegible] Mr. Asbury on the City [illegible] Rising Mountain Highway [illegible] the location of the [illegible] and the other to the [illegible] to Mr. Asbury giving [illegible] and the [illegible] of the [illegible].

The [illegible] burning a floo[illegible] of some kind to [illegible] of the clubhouse, [illegible].

I am furth[illegible] which [illegible] by [illegible] the right to th[illegible] of the water of[illegible] the dam is [illegible] the Commission, [illegible] Court [illegible] the water.

Men of [illegible] but [illegible] feet above [illegible].

I would [illegible] this to [illegible] pipe to this [illegible].

Yours [illegible],

[illegible] C. [illegible] Commission.

The following [illegible] and unanimously [illegible]:

RESOLVED [illegible] letter to the County Commission [illegible] Mountain Highway, [illegible] Mayor said property [illegible] or [illegible] as a public [illegible].

The following [illegible] to the [illegible] Board was presented:

[illegible] TO THE [illegible]
[illegible] VACANCY [illegible].

Mr. [illegible], [illegible] reading by [illegible] the [illegible] Service Board, [illegible], in addition [illegible], of Asheville, of the City [illegible], made by the General Assembly at its Session of 1931, on such [illegible] by the City Manager.

The [illegible] election shall be open [illegible] 10 o'clock A. M. until 10 o'clock P. M. on election day, and each officer and employee in the classified service of the City and County within the purview of the Charter as to Civil Service, shall be entitled to cast a vote by ballot for the three members of the Civil Service Board.

The City Manager [illegible] ballots, and shall provide [illegible] deposit them in said receptacle, and when the polls close the receptacle with the ballots have been sealed shall be opened by the said clerk in the presence of said Manager, the votes counted, and the persons receiving a majority of the votes cast shall be declared members of the Civil Service Board for the [illegible].

The foregoing [illegible] was offered by Mr. [illegible] and [illegible] by Mr. [illegible].

Mr. Boyd [illegible] that the [illegible] be [illegible] by ballot.

This motion was seconded by Mr. [illegible], and a vote was taken, in which the following named voted for the immediate passage of the ordinance, to-wit: Mr. Plott Boyd, Mr. W. O. Britt, Mr. W. D. Swanson, [illegible] Mr. Julian P. Weaverick, being the majority of the members of the Council.

The ordinance was then read in full by the clerk, and a vote taken, all members of the Council voting "Aye" on the final passage. The ordinance to be [illegible]. [illegible] May, [illegible].

Mr. Wortham says that there is no provision in the Charter for the appointment of special policemen.

It was suggested that the Corporation Counsel investigate the matter and report at the next regular meeting of the Council.

Mr. Blakely offered the following resolution:

That the City Manager be authorized by the Council to pass upon all applications for and issue building permits under the provisions of the new Charter.

This motion was seconded by Mr. Weaverick, voted on and unanimously adopted.

Mr. Newman offered the following resolution:

That the City Manager be authorized by the Council to pass upon all applications for and to issue licenses, within his discretion, for all motorvehicles under the provisions of the new Charter.

This motion was seconded by Mr. Weaverick, voted on and unanimously adopted.

There being no further business, the meeting recessed until Thursday night, May 28, 1931.

[illegible]

City Clerk.



The City Council [illegible] Councilmen Plott Boyd, W. [illegible], Julian [illegible], Louis Cairnsky, Frank O. Sm[illegible] and City Manager H. W. Plu[illegible].

The minutes of [illegible] correction:

[illegible] Plum[illegible] [illegible] commissioner. He made [illegible] M. M[illegible] extension from [illegible] Boulevard [illegible].

James L. Ho[illegible], [illegible] assembly including the [illegible] and also [illegible] proposed [illegible] for a period of from five [illegible].

It was moved by [illegible], seconded by [illegible], that a committee be appointed by [illegible] the Council.

The following [illegible] to lot 10, block 7, [illegible]:

Mr. [illegible].

Honorable Mayor & City Council, Asheville, N. C.

Gentlemen:

[illegible]

[illegible] amounting to [illegible] dollars for one[illegible] for the accession [illegible] of improvement [illegible].

If this petition [illegible] Jun[illegible] block extend[illegible] building and [illegible] them that it is absolute[illegible]

[illegible]

Mr. Wood[illegible] matter be referred to the [illegible].

[illegible]

A. J. Bigg[illegible].

Moved by [illegible], seconded by [illegible], that [illegible] M. [illegible] matters relative to all [illegible] instructed to report [illegible].

A motion was [illegible] carried, that an investigation [illegible] be made [illegible], lights and the condition of the fountain on the [illegible].

[illegible] petition signed by sixty [illegible] Bus[illegible] meeting [illegible] limiting [illegible] in front of the [illegible] to fifteen minutes [illegible] and [illegible] unlimited time.

[illegible], Wambolt, unanimously [illegible] an ordinance be drafted [illegible] to permit one visitor an unlimited time, also authorizing the issuance of courtesy [illegible] allowing visitors only one hour in [illegible] time in the [illegible].

The motion of Alderman [illegible] and Mr. Smith withdrew his motion and moved that the matter be referred to the Corporation Counsel for investigation as to the legality of the ordinance. This motion was seconded by Mr. Wambolt and unanimously carried.

[illegible] to investigate the proposition of leasing the [illegible] to the following: [illegible] Lipinsky, M. Boyd and [illegible].

Mr. Plummer [illegible] to the City Hall and asked [illegible] to [illegible] of the Library Board, Information [illegible] this matter.

[illegible] of the Board of Electrical Examiners [illegible] of C. Johnson, Del Nelson and F. B. Scott [illegible] on June 1st and [illegible] Board must be appointed in [illegible] time.

[illegible] of Electrical Engineer [illegible].

[illegible] Fire [illegible] and unanimously [illegible] be brought to the City Manager.

[illegible] by Ald. Cowan and [illegible]:

[illegible].

[illegible] OF THE CITY OF ASHEVILLE

[illegible] of November, 1920, [illegible] in the City of Asheville, [illegible] and [illegible], in consideration of the salary being [illegible] by the [illegible] hereinafter [illegible] hereinafter [illegible] and [illegible] and agreed [illegible] and damage in the sum of [illegible] further [illegible] agreement of this [illegible] suffered.

[illegible], 1921.

[illegible] V. Talbert
By Fo[illegible], Coxe & [illegible]
Attorneys

[illegible]
[illegible]
[illegible]
[illegible]
[illegible] F. B. Lipinsky
[illegible] W. Plummer

[illegible] by Ald. [illegible], [illegible] by Mr. Smith that the chair be [illegible] to the [illegible] motion [illegible]. This motion was carried.



Mr. Merrimon informed the Council that [illegible] City of Asheville, [illegible] principal and interest past due, wished to pay his taxes and [illegible] with the amount of the coupons. He explained as the interest is not to be [illegible] the coupons be allowed as credit on taxes.

Mr. Smith moved, seconded by Mr. Wambolt, that the matter be left with the Corporation Counsel and the City Manager to settle. This motion was carried.

There being no further business, the meeting, on motion, adjourned.

[illegible]
City Clerk.

[illegible]

[illegible], June [illegible], 1921 [illegible] o'clock, P. M.

The City Council met in regular session: Mayor [illegible] presiding. Present: Councilmen; Plott Boyd, W. C. Britt, B. G. Brookshire, Wilbur [illegible]orff, [illegible]. Louis Lipinsky, Wickes Wambolt, and Julian A. Woodfork, Corporation Counsel, J. E. Merrimon and City Manager, H. W. Plummer. The minutes of the previous meeting were read and approved.

Captain W. P. Gearing of the Salvation Army, stated [illegible] was present [illegible] of begging on the streets of Asheville and asked that the Police Department be advised [illegible] the ordinance prohibiting begging on the streets enforced. It was suggested that the City Manager ask the Police Department to see that this law is absolutely enforced.

Mr. W. H. Zimmerman acting as spokesman of the [illegible] Public Accountants of Asheville, asked that the work of auditing the city accounts be given to local accountants. The City Manager advised there was a contract for the auditing to [illegible] last, but the matter would be given thoughtful consideration.

Mrs. M. H. Harris inquired if something could be done in regard to [illegible]. She said two of her vacant houses had been entered [illegible] fixtures removed and the [illegible] golf course on Marjorie Street had the lighting fixtures removed. It was suggested that the ordinance requiring a report to the Police Department of all purchases of second hand or [illegible] articles of electrical and plumbing fixtures be rigidly enforced.

Mr. Lipinsky reported that the committee appointed to investigate the [illegible] there were about 170 passes out to the municipal golf course.

It was moved by Mr. Lipinsky, seconded by [illegible], motion unanimously carried, that the Council recommend that the Director of Public Works revoke all passes to the Municipal Golf Course.

No action was taken on the offer of Robert Sherrill to [illegible] refreshment [illegible] at Aston Park as Mr. Cown explained the Park Superintendent has allowed the same party who has been operating the refreshment stand to continue operating same temporarily.

Mr. Harry Gruver, Chairman of the Rhododendron Festival [illegible], submitted plans for decoration of the three city buildings and a float, the cost to be [illegible] to be done by the Chamber of Commerce.

Mr. Lipinsky moved that the City accept the plans of the Chamber of Commerce and [illegible] to spend $250.00 for decorating the three buildings, the float on the three days and costume for Miss Asheville. No second received to this motion.

Mr. Merrimon interpreted the Charter that all expenditures under the [illegible] to be made by the Director of Finance.

Mr. Lipinsky withdrew his motion and no action was taken.

Mr. Gruver was advised that there is no city tax on [illegible], but a privilege tax of $25.00 for decorators of buildings.

The committee appointed to investigate the proposal of leasing the Recreation Park and the Municipal Golf Course presented the following report:

Asheville, N. C., June 4th, 1931.

Hon. Ottis Green, Mayor
City of Asheville,
Asheville, N. C.

Dear Sir:

The Committee appointed to investigate Mr. Brann's proposition of leasing the Recreation Park and Municipal Golf Course, has visited the Recreation Park and Golf Course, and recommend that the proposition be rejected.

Respectfully Submitted:

Plott Boyd
Julia A. Woodcock
Louis Lipinsky.

Mr. Wamboldt moved, Mr. Devendorf seconded, motion unanimously adopted, that the report of the Committee be adopted.

Mr.Wamboldt suggested that the attractions at Recreation Park be improved. He stated he understood apparatus could be obtained on a percentage basis and suggested that a committee be appointed to investigate concessions in order to improve attractions at the Recreation Park.

It was moved by Mr. Wamboldt, seconded by Mr. Smith, that the same committee appointed to investigate leasing the parks work with the City Manager with a view of improving the attractions in the park. This motion carried.

Mr. Smith moved, seconded by Mr. Lipinsky, that Mr. Wamboldt be added to this Committee. Motion voted on and unanimously carried.

Mr. Plummer submitted a communication in regard to renewal of contract for the furnishing of water from July 1931 to June 1932 to the U. S. Veterans Hospital at Oteen, N

Mr. Britt moved, seconded by Mr. Boyd, that the renewal contract of ten cents per one thousand gallons, the price paid for several years, be signed by the City Manager. This motion was unanimously carried.

Mr. Wamboldt moved that the City Manager and the Director of Public Safety be empowered to appoint special policemen, this motion was seconded by Mr. Devendorf and unanimously carried.

Mr. Plummer submitted report of the result of the election for the third member of the Civil Service Board:

I, W. Morton Jones, duly appointed by the City Manager as Clerk of election of Civil Service held June 4, 1931, hereby certify to the result of the election of the third member of the Civil Service Board.

Said election held as provided in Section 41, Article 10 of the City Charter, and in accordance with the proceedings set forth in Article 10 of City Charter. Said Ordinance dated May 31, 1921.

Polls opened 10:00 A. M., - closed 4:00 P. M.
Total number of votes cast - 134
Necessary for election - 68

The votes counted by me in the presence of the City Manager:

| | |
|---|---|
| A. G. Barnett, | 88 |
| Jno. B. Hooks Jr. | 46 |
| Total number of votes | 134 |

A. G. Barnett, having received a majority of the votes in compliance with the terms of the Charter and Ordinance, is declared the third member of the Civil Service Board for the term specified in the City Charter, namely two years, or until his successor is elected and qualified.

H. W. Plummer
City Manager.

W. Morton Jones
Clerk



Report from Mr. Wright, Chairman of the Library Board of the Division of the Library for the month of May filed.

Mr. Plummer reported the appointment of A. L. Burnett as Electrical Engineer.

A communication from Mr. Claude L. Felmet, Chairman of Board of County Commissioners, regarding parking on the plaza was read:

June 4, 1931.

Honorable Ottis Green, Mayor,
City of Asheville,
Asheville, North Carolina.

Dear Mr. Green:

I wish to call the attention of your Board to an unsightly condition that exists on the Plaza.

This condition exists because of the unrestricted parking of automobiles on the Plaza, and it has been done to such an extent that the beautiful effect of the Plaza is almost entirely lost. I realize that parking space is at a premium in the business section of Asheville, but both College and Vance streets are available. Vance street could accommodate cars on each side for parking and leave plenty of room for traffic.

The City and County have spent considerable money on this Plaza, and it is a beautiful spot, but it does seem to me that our visitors and the people of Asheville and Buncombe County cannot appreciate its beauty and the money spent when it is parked full of cars all day long.

The City has an ordinance prohibiting this parking, if I am correctly informed, and personally, I would like very much to see it enforced.

I realize that peole doing business in the Court House and City Hall should be allowed to park in front of the two buildings for a limited period of time sufficient to transact their business, but I do not think cars should be allowed to stand here from early in the morning until late at night.

I trust you Gentlemen will give this matter due consideration and take whatever action you deem advisable.

Yours very truly,

CLF:AP

Claude L. Felmet, Chairman
Board of County Commissioners

It was suggested that this matter be referred to the Director of Public Works and the City Manager to work out some solution.

Mr. Merrimon presented ordinance repealing ordinance No. 146, entitled: An Ordinance Regulating Parking in the vicinity of Battery Park Square, for the immediate convenience of the general public.

ORDINANCE #151

AN ORDINANCE REGULATING PARKING IN THE VICINITY OF BATTERY PARK SQUARE, FOR THE IMMEDIATE CONVENIENCE OF THE GENERAL PUBLIC.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ASHEVILLE:

Sec. 1. All motor vehicles or vehicles are hereby required, when parked or parking in any of the public streets, to park parallel with and near the curb, except as hereinafter provided and double parking is hereby prohibited. Provided, however, no parking will be permitted by motor vehicles or vehicles within 25 feet of any street corner or within 15 feet of any fire hydrant, Provided, further, however, no motor vehicle or vehicle on public streets on which parallel parking is required under the provisions of this ordinance shall park within 3 feet of any other motor vehicle or vehicle.

Sec. 2. The parking of any motor vehicle or vehicle within the territory hereinafter described and defined is hereby prohibited except as follows:

(a) Parking on the east side of O. Henry Avenue from its intersection with Battery Park Avenue, and on the south side of Battle Square from its intersection with the east side of O. Henry Avenue to its intersection with Page Avenue, and on the west side of Page Avenue from its intersection with the south sideof Battle Square, to the north corner of No. 16 of the Arcade Building, at a point near the main entrance on the east side of said Arcade Building, no limit, and from said last designated place, No. 16, near the entrance on the west side of Page Avenue to the north side of Battery Park Avenue, and with the north side of Battery Park Avenue to its intersection with the east side of O. Henry Avenue, for 30 minutes and no longer, all said parking to be at a 45 degree angle.

(b) On the east side of Page Avenue, from the corner of Battery Park Avenue north to the north wall of the Taylor Building, parking at 45 degree angle for 1 hour and no longer.

(c) On the east side of Page Avenue, from the north wall of the Taylor Building to a line in line with the north curb of Battle Square, parking at 45 degree angle, no limit. Beyond this point to Haywood Street, no parking.

(d) On O. Henry Avenue, Battle Square, and Page Avenue, abutting the Battery Park Hotel property, parking at 90 degree angle, no limit.

(e) On the west side of O. Henry Avenue, from the northern line of Battery Park Avenue to the southern line of Haywood Street, parking at 45 degree angle, no limit.

(f) On the north side of Battery Park Avenue, from the eastern margin of Page Avenue to the western margin of the alley in the rear of the Bon Marche, parking at 45 degree angle, for 1 hour, but from the western margin of the said alley east to Haywood Street, no parking.

(g) On the south side of Battery Park Avenue, from the east side of Otis Street to the west wall of the Hursey Building, no limit, and from the west wall of the Hursey Building to Haywood Street, no parking.

(h) On the west side of Haywood Street from the northern margin of Battery Park Avenue to the southern margin of Page Avenue, no parking.

Sec. 3. That any person, firm, or corporation violating any of the provisions of this ordinance shall be subject to a penalty of Fifty ($50.00) Dollars for each and every such violation.

Sec. 4. That this ordinance being for the immediate preservation of the public peace and safety of the citizens and residents of the City of Asheville, is hereby declared an emergency ordinance to take effect immediately upon the first publication in a newspaper published in said City.

Sec. 5. That all ordinances and clauses of ordinances in conflict herewith and specifically No. 126, Minute Docket 26, Page 91, be and the same are hereby repealed.

I move the adoption of the foregoing ordinance.

This the 3rd day of June, 1931.

Wickes Wamboldt
Councilman

Approved as to form:
J. G. Merrimon
Corporation Counsel.

It was moved by Mr. Wamboldt, seconded by Mr. Lipinsky, voted on and carried, that this ordinance be adopted.

Mr. Lipinsky moved that the requirement that the ordinance be read on three separate days, be dispensed with. This motion was seconded by Mr. Devendorf and a vote was had, at which the following members voted for the immediate passage of the ordinance, to-wit: Messrs. Plott Boyd, W. C. Britt, H. G. Brookshire, Wilbur Devendorf, Ottis L. Green, Louis Lipinsky, Frank S. Smith, Wickes Wamboldt and Julian A. Woodcock, being two-thirds and more of the members of the Council.

The ordinance was presented on its third reading and voted on, all members of the Council voting "aye" the ordinance was passed on its final reading and being an emergency ordinance to become effective upon its publication.



Mr. Merrimon stated he had received a letter from Dr. Sevier in regard to the City paying $55.00 a month for the care of Miss Lillian Stone, a former employee of the city, now in the Sherwood Sanitarium, and asked advice if the city had any funds to provide for such cases.

Dr. D. E. Sevier explained the case and it was moved by Mr. Britt, seconded by Mr. Wamboldt, voted on and carried, that a committee be appointed to ascertain information of the indigent cases and the laws applicable to such cases. Mayor Green appointed on this committee: Mr. Devendorf, Dr. Brookshire and Mr. Britt.

Moved by Mr. Smith, seconded by Mr. Woodcock, that the Council accept the invitation extended by the Young Men's Council to attend a dinner and meeting at the George Vanderbilt Hotel next Tuesday evening at 7 o'clock.

WWNC RADIO STATION-Report

Mr. Wamboldt reported that Mr. G. O. Sheppard, Director of W.W.N.C. had offered the use of the station to the Council for broadcasting information regarding the work of the city government.

Moved by Mr. Lipinsky, seconded by Mr. Wamboldt, that the Council accept the offer and a committee be appointed to take charge of the programs. Mr. Green appointed Mr. Wamboldt, Mr. Lipinsky and Mr. Smith on this committee.

There being no further business, the meeting, on motion, adjourned.

City Clerk.

Thursday, June 11, 1931- 9 o'clock, P. M.

The City Council met in regular session; Mayor Green presiding. Present: Councilmen, Plott Boyd, W. C. Britt, H. G. Brookshire, Wilbur Devendorf, Ottis L. Green, Louis Lipinsky, Frank S. Smith, Wickes Wamboldt, and Julian A. Woodcock, Corporation Counsel, J. G. Merrimon and City Manager, H. W. Plummer. The minutes of the previous meeting were read and approved.

At the suggestion of Mr. Merrimon, it was moved by Mr. Britt, seconded by Mr. Woodcock and unanimously carried, that a committee be appointed to draft resolution relative to the death of General Theodore F. Davidson, widely known resident and former mayor of Asheville, and in recognition the Council to attend the funeral in a body as official representative of the City of Asheville.

Mayor Green named Mr. Smith, Mr. Wamboldt and Mr. Lipinsky on the committee to draw resolution.

A communication from the Chamber of Commerce in regard to official representation on the Board of Directors was presented:

June 11, 1931.

Honorable Mayor and Members of the Council

Gentlemen:

It was the custom during the commission form of government that the three City Commissioners were also members of the Board of Directors of the Chamber of Commerce.

At the meeting of the Board of Directors of the Chamber of Commerce last night I was instructed to communicate with you to ascertain the wishes of the new Council in regard to membership on the Chamber of Commerce Board. It was the concensus of opinion of our Board that the decision in this matter as to what and how the representation shall be rests entirely with you.

It is their earnest desire that this official representation be continued and whatever your decision may be, I assure you will be entirely satisfactory to the Chamber of Commerce.

Cordially yours,
Fred L. Weede
Manager.

No action was taken to accept invitation to be represented officially on the Board of Directors of the Chamber of Commerce.

The Corporation Counsel was requested to obtain a certified copy of bill passed by General Assembly in regard to Chamber of Commerce appropriation.

Communication from the Elks Club of Asheville requesting the Council to attend Flag Day Services to be held at the George Vanderbilt Hotel on Tuesday evening, June 16th was presented.

The Clerk was instructed to thank the Elks Club for the invitation and to inform them that such members of the Council as can will be pleased to attend the services.

A delegation from the Society for the Prevention of Cruelty of Animals in Asheville, composed of Charles B. MacRae, Attorney, Mrs. C. C. Myers and Mrs. Emma Ogilvie appeared before the Council and presented petition for the reduction of the special tax on dogs in the City.

PETITION FOR THE REDUCTION OF THE SPECIAL TAX
ON DOGS IN THE CITY OF ASHEVILLE, NORTH CAROLINA.

To the Honorable Members of the City Council of Asheville, N. C.;

Gentlemen:

WHEREAS, the City of Asheville now assesses a special tax of Five ($5.00) Dollars, against the owners of dogs in the City of Asheville, and

WHEREAS, in a great many instances said tax is far in excess of the actual value of the dog, and

WHEREAS, in a great many instances the enforcement of such a tax is tantamount to confiscation, and

WHEREAS, a great many citizens of Asheville are forced to give up their pets by reason of said tax in order to apply the money to the actual necessities of their families, and

WHEREAS, said tax in unfair in that said tax in assessed against citizens who own dogs of practically no value to the same extent as against citizens who own valuable petigreed dogs, and

WHEREAS, the Society for the Prevention of Cruelty to Animals, in Asheville, has received numerous requests from residents of Asheville, asking the said society to take their pets and place them in the homes of parties who are able to pay the said tax, or dispose of them otherwise, and

WHEREAS, in many instances, it is necessary for the owners of dogs to have their pets killed as they are unable to pay the tax of Five ($5.00) Dollars,

WHEREFORE, the S. P. C. A. in behalf of the citizens of Asheville who are unable to pay the tax of Five ($5.00) Dollars, respectfully petitions this Council to reduce the special tax on dogs to One ($1.00) Dollar for each male and $2.00 for each female in order that many of the poorer citizens of Asheville may keep their pets and obviate the necessity of killing same.

Respectfully submitted,

SOCIETY FOR THE PREVENTION OR CRUELTY
TO ANIMALS IN ASHEVILLE.

BY Mr. C. C. Myers, Sec. & Tr.

Moved by Mr. Devendorf, seconded by Mr. Smith, unanimously carried, that the petition be referred to the Committee who is in charge of preparing the Ordinance levying special license taxes.

Representatives of the Volunteer Fire Department appeared before the Council and requested permission to have the bell which formerly hung in the old city hall hung in the belfry of the new city building, at no cost to the City.

Dr. Brookshire moved, seconded by Mr. Smith and unanimously carried, that permission be granted the Volunteer Fire Department to place the bell and the City Manager requested to draft rules and regulations for the ringing of this bell.



The Committee appointed to investigate and report on certain sick persons being taken care of at the expense of the city presented the following report.

Asheville, N. C.
June 9, 1941.

Hon. Ottis Green, Mayor,
City of Asheville,
Asheville, N. C.

Dear Sir:

At Council meeting Thursday, June 4, you appointed a committee consisting of Messrs. Wilbur Devendorf, W. C. Britt, and Dr. H. G. Brookshire, to investigate and report in the matter of certain sick persons who are now being taken care of at the expense of the City.

With one exception, we find that these patients are being taken care of from special pension fund. The exception is a Miss Stone, a former City employee, who is now a tubercular patient at the Sherwood Sanitarium, and for whose care the City is paying the sum of $40.00 per month.

The committee suggests the continuance of this arrangement for the balance of the fiscal year, at which time the matter is again to be brought to the attention of the Council by the City Health Officer.

Respectfully submitted:
Wilbur Devendorf
W. C. Britt
H. G. Brookshire

It was moved by Mr. Devendorf, seconded by Dr. Brookshire, that Miss Stone be placed on the payroll of the city until September, when other arrangements will be made. Her salary to be $55.00 a month. This motion unanimously adopted.

Mr. Wamboldt reported Mr. Shepherd had received a letter from the Council requesting the use of the WWNC Broadcasting station and specifying that the Council will give their hearty co-operation and full support.

Moved by Mr. Britt, seconded by Mr. Smith, that the same committee which was appointed to take charge of programs be re-appointed with Mr. Wamboldt as Chairman, to confer with Mr. Shepherd to make suitable arrangements and a letter be written confirming this arrangement. This motion voted on and carried, Mr. Devendorf voting "nay".

Mr. Plummer read a communication from the Virginia Trust Company in regards to claim for damages to building on Coxe Avenue caused by faulty storm sewer and report from the Engineering Department regarding investigation of the claim.

This matter was referred to the Corporation Counsel for investigation.

Mr. Plummer reported on his investigation of the request for reduction of benefit assessments on Buncombe Street and suggested that this matter be referred to the Corporation Counsel as a reduction might caused embarassment on other assessments.

Mr. Woodcock, moved, Mr. Britt seconded, motion carried, that Mr. Plummer's recommendation that the matter be referred to the Corporation Counsel for an opinion that further cases be subject to no embarassment, be approved.

Mr. Cowan reporting on the proposition of turning on the colored lights in the fountain on the square, stated the cost of operating the light was approximately $[illegible] a month and that the fountain was in good contion to operate.

Moved by Mr. Woodcock, seconded by Mr. Wamboldt, that the lights in the fountain be operated from 8:30 P. M. until 10:30 P. M. each night until the 15th of September.

Mr. Cowan reported he had investigated parking on the city-county plaza and found there was available space for 80 cars to park and as the street were one-way streets there was little danger of congestion, but stated there was an ordinance limiting parking.

Moved by Mr. Woodcock, seconded by Mr. Lipinsky that the question of parking on the plaza be left to Mr. Cowan to decide. Mr. Wamboldt and Mr. Smith voted in the negative. Motion carried.

Mr. Cowan reported there were available benches to place on the plaza. It was moved by Mr. Woodcock, seconded by Mr. Britt that eight or ten benches be placed as Mr. Cowan deems advisable.

✓

Mayor Green appointed Mr. Boyd, Mr. Britt and Mr. Lipinsky a committee to investigate the condition of the Auditorium and report back to the Council.

✓

Mr. Cowan submitted a report from the City Engineering Dept. in regard to re-naming streets where names are duplicated or identical.

It was suggested that Mr. Cowan make his recommendations and present his report at a future meeting.

✓

The Council accepted Mr. Cowan's invitation to make a tour of inspection of the watersheds on next Wednesday afternoon.

✓

It was moved by Mr. Lipinsky, seconded by Mr. Britt unanimously carried, that the appointment of DeVere C. Lentz as Assistant Corporation Counsel be confirmed by the Council.

There being no further business, the meeting, on motion, adjourned.

Ed Trumpore
City Clerk.

Thursday, June 18, 1931- 8 o'clock, P. M.

The City Council met in regular session; Mayor Green presiding. The roll call showed the following present: Councilmen, W. C. Britt, H. G. Brookshire, Wilbur Devendorf, Ottis L. Green, Louis Lipinsky, Frank S. Smith, Wickes Wamboldt and Julian A. Woodcock, Corporation Counsel, J. G. Merrimon and City Manager H. W. Plummer. A telegram was read from Councilman Boyd from Ponca City, Okla. The minutes of the previous meeting were read and approved.

✓ROBT G. SCHARFF [illegible]

A communication was read from Robt. G. Scharff requesting a free license to operate cafe, soft drink and candy stand for the reason that he is a disabled veteran of the "China Relief Expedition in 1900", and on motion of Mr. Smith, seconded by Mr. Woodcock, motion unanimously carred, ordered referred to the City Manager for his attention.

✓

The following resolution in regard to imposing a license tax for the distribution of printed advertisement was submitted by the printing houses of the City of Asheville:

R E S O L U T I O N

WHEREAS, a certain ordinance now on the books of the City of Asheville is unjustly discriminatory, in that it levies a heavy tax on merchants for distributing hand announcements, and deprives local printing houses from securing the printingof such work; and

WHEREAS, said ordinance is in no sense shown to have produced a revenue for the City of Asheville, and is harmful to its printing houses and its independent merchants, and highly in favor of local newspapers, be it

RESOLVED, that we, the printinghouses of the City of Asheville, hereby petition the Honorable City Council of the City of Asheville, to abolish the Ordinance having particular reference to imposing a license or tax for the distribution of heralds and cards within the City of Asheville, or to so amend said ordinance in manner that will not discriminate against its independent merchants or its printing houses, who are now, under its



terms, stopped and deprived of much business that otherwise would be given them except for said ordinance.

Respectfully submitted,

ADVOCATE PRINTING CO.
by H. E. Thomas

BILTMORE PRESS
by R. P. Williams

CAROLINA PRESS
by Wm. B. Schorr

GROVES PRINTING CO.
by P. W. Groves

INLAND PRESS
by Frank A. Barber

MILLER PRESS
by J. A. Miller

SKYLAND PRINTING CO
by D. [illegible]. Howell

It was moved by Mr. Lipinsky, seconded by Mr. Woodcock, that the [illegible] be referred to the Committee to be appointed to study and make recommendations in regard to special license tax ordinance.

✓

Mr. W. C. Hendricks submitted a proposal for providing band concerts at the Recreation Park as follows:

PROPOSAL FOR PROVIDING BAND CONCERTS
AT RECREATION PARK.

To the Honorable Mayor and
Members of the Council,
City of Asheville.

Gentlemen:

The undersigned, on behalf of himself and the Asheville Municipal Band, herewith submits for your consideration the following proposition to provide band concerts at Recreation Park, during the summer season, 1931.

In order to provide an additional attraction for the people at Recreation Park, to increase the popularity of that institution, and to encourage musical appreciation in the city and community, we propose to give out-of-door band concerts at the Park on three nights of each week, said nights to be designated by the City Council.

We will provide a band of not less than 30 musicians and a leader. The members of the band will be [illegible] of ability and the standard of music will be of high grade.

The city will erect a bandstand and provide seats for the audience at a place in the park to be agreed upon by the Council and the undersigned; the said bandstand and seats to be constructed at the expense of the City and to remain the property of the City.

An admission charge of 10 cents per person to be collected at the entrances to the park between the hours of 8 p. m. and 9 p. m. on the nights upon which concerts are to be played. The City will provide ticket sellers and the band will provide ticket takers at the entrances for the purpose of checking receipts.

The band will provide their own uniforms, instruments, music and other equipment. The City will provide suitable lighting for the band stand.

Proceeds from the sale of such admission tickets will be divided upon the following basis: sixty per cent (60%) to the band, and forty per cent (40%) to the City of Asheville.

Should inclement weather prevent the holding of a concert on any regularly designated night, said concert may be cancelled by mutual agreement between a designated agent of the city and a designated agent of the band at 6 p. m. on the particular night. Such cancelled concert may be played upon another night of the same week through agreement of the parties, or may be cancelled entirely.

At any time that the weekly receipts exceed a sum total that would entitle the said band to more than $250 per week as its share, the said band agrees to enter into a contract with the City to play three nightly concerts per week for the balance of the season at a regular stipend of $250 per week.

It is further agreed that the said band will at any time waive the provisions of this agreement and accept in lieu thereof a contract to play three nightly concerts per week on a basis of $250 per week, for the balance of the season.

Concerts will be of one hour duration each, to start at 8 p. m., continue to 8:30 p. m., with 15-minute intermission; resume at 8:45 p. m. and continue until 9:15 p. m., or under any other schedule to be mutually agreed upon between the city and the undersigned.

On condition that the compensation is placed upon the percentage basis as proposed above, this agreement is made for a period of four weeks as a test to determine whether sufficient revenues will be derived to recompense the band for its services. At the end of four weeks this proposition may be renewed or another adopted upon a different basis by mutual agreement between the undersigned and the City of Asheville.

Respectfully submitted,
June 18, 1931 Jos. D. DeNardo

It was moved by Mr. Wamboldt, seconded by Mr. Devendorf, that the matter be referred to the Park Committee to work with Mr. Plummer and Mr. Cowan. Motion carried.

Mr. J. M. Geary, General Chairman of the Rhododendron Festival, made an appeal to the City of Asheville to furnish a float for Miss Asheville and to participate in the parade, and decorate the city buildings.

The Corporation Counsel advised that the City has no authority to appropriate money for such purposes and the City Manager reported there are no funds available in the budget. Mayor Green assured Mr. Geary the Councilmen were in sympathy with the Festival, but were unable to expend $250.00

Mr. Wamboldt moved, seconded by Mr. Brookshire, and unanimously carried that the following resolution be adopted:

RESOLUTION ON RHODODENDRON FESTIVAL

WHEREAS the City Council of Asheville feels that it has no right at this time to appropriate $250 of the taxpayers' money to provide a floate and to decorate the City Hall in connection with the Rhododendron Festival:

AND WHEREAS it is not the wish of this Council that any impression be allowed to exist that the Council is not in sympathy with the Rhododendron Festival; Therefore

BE IT RESOLVED that the City Council of Asheville go on record as heartily endorsing the Rhododendron Festival, and warmly commending the civic spirit of those who are striving earnestly to make the Rhododendron Festival a success.

The Committee appointed to investigate the condition of the Auditorium presented the following report:

Asheville, N. C.
June 18, 1931

Hon. Ottis Green, Mayor,
City of Asheville,
Asheville, N. C.

Dear Sir:

At Council meeting on Thursday, June 11, you appointed a committee consisting of Messrs. Lipinsky, Boyd, and Britt, to inspect the Auditorium and report relative to its condition, etc.

The above committee, in company with A. L. Duckett, Chief of Fire Department; Mr. Maynard, City Engineer; Mr. Gerald Cowan, Director of Public Safety, and Mr. F. M. Jordan, State Deputy Fire Insurance Commissioner, made a thoro inspection of the building from basement to attic.

We found the building in dangerous condition, and below we submit important items having relation to fire hazard or other phases of public safety.

(a) General structural condition of the building which does not admit repairs that will render maximum factor of safety.

The building is old, cheaply constructed, with wooden floors, stairs, stage, proseenium, and with rear walls constructed partly of wood, which have been braced and repaired since building was constructed.

Exit on north side of building has wooden platford and supports to this platform are decayed and highly dangerous. Exits from top gallery are down long narrow winding stairs, and in case of fire or panic, could only result in a terrible catastrophe.

Basement doors and other exits are inadequate; dressing rooms also in bad condition and highly inflammable.

(b) Present tower fire escapes are in bad condition and are not practical, and in case of fire we do not believe that the public coulb be prevailed upon to use them.



The electrical apparatus and switchboard [illegible], in the opinion of Mr. Duckett, very dangerous.

Roof timbers and partitions have rotted. Boiler [illegible] in main part of basement and the smoke pipe is in close proximity to wooden floor joists and the [illegible] walls in basement.

It is the unanimous opinion of your committee [illegible] by Mr. Jordan and Mr. Duckett, that the building should be [illegible] immediately and no further assemblage of any kind be permitted.

The dangerous condition of this building was reported by Fire Chief Duckett in January, 1927, and in other later communications.

Yours very truly

[illegible]

Chief C. [illegible]

Louis Lipinsky

It was moved by Mr. Wamboldt, seconded by Mr. Devendorf, that the Council adopt the suggestion of the Committee and close the Auditorium immediately. This motion was voted on and unanimously carried.

The committee appointed to draft resolution [illegible] Theodore F. Davidson submitted the following:

RESOLUTION ON THE DEATH OF
GENERAL THEODORE F. DAVIDSON

RESOLVED:

That in the passing of General Theodore F. Davidson our city has lost a man whose [illegible] citizen has endeared him to all who knew him.

That our community is grateful that his life of usefulness to state and city was so long and that his influence will continue to rest on us [illegible] benediction:

BE IT FURTHER RESOLVED:

That the City Council [illegible] in the midst of routine duties and business affairs to pay tribute to the memory of General Davidson and to extend to [illegible] sympathy to his bereaved family.

Frank Smith
Wilkes Wamboldt
Louis Lipinsky
Committee

June 17, 1931.

Motion was made by Mr. Wamboldt, seconded by Mr. Smith that the resolution be adopted. Motion unanimously carried.

[illegible]

Mr. Merrimon reported the Special License Tax Ordinance for the year 1931-32 was ready with a few minor changes.

Mr. Devendorf moved, seconded by Mr. Wamboldt, that a committee be appointed to study the ordinance, to have a meeting for hearing the public on any changes and to make recommendations to the Council.

Mayor Green appointed Mr. Britt, Chairman, Mr. Smith and Mr. Lipinsky on this committee, who will meet in the city hall on Monday night at 7:30 to hear any complaints and meet with the Council on Tuesday night at 8:30 to make recommendations before ordinance is adopted.

[illegible]

The request of the Consolidated Realty Company for release of assessments for opening and widening Marjorie Street and the report of the City Engineer showing his investigation of the improvement was presented by the City Engineer and referred to the Corporation Counsel.

Mr. Lipinsky moved, seconded by Mr. Woodcock, that a permanent committee be appointed to study problems and handle the requests for reductions of assessments as they and make recommendations to the Council. Mayor Green appointed Mr. Woodcock, Mr. Devendorf and Mr. Boyd on this committee.

The request of the Wildwood Park owners that the City purchase water line in subdivision was referred to the City Manager for further investigation and report.

Mr. Plummer made report of his investigation of the request of property owner of lot 100, sheet 1, ward 4, Buncombe Street benefit assessments, and recommended that the City accept the offer of $850.00 for assessments.

Moved by Mr. Britt, seconded by Mr. Smith, and unanimously carried that the City Council approved the recommendation of the City Manager and accept $850.00 benefite assessments on lot 100, sheet 1, ward 4, Buncombe Street.

Mr. C. F. Byerly invited the councilmen to attend a play "Her Honor The Mayor" to be given next Monday evening at 8 o'clock in the Hall Fletcher High School.

It was moved by Mr. Lipinsky, seconded by Mr. Britt that the meeting recess until 6:30 o'clock Tuesday night, June 23rd.

City Clerk.

Tuesday, June 23, 1931- 6:30 o'clock, P. M.

The meeting of the City Council reconvened after recess; Mayor Green presiding. Present: Councilmen: Plott Boyd, Walter C. Britt, H. G. Brookshire, Wilbur Devendorf, Ottis Green, Louis Lipinsky, Frank S. Smith, Wickes Wamboldt and Julian A. Woodcock, City Manager H. W. Plummer, Corporation Counsel, J. G. Merrimon and Assistant Corporation Counsel, DeVere C. Lentz.

The committee appointed at the meeting of the Council on June 18th, consisting Messrs. Britt, Smith and Lipinsky reported they had met in the Council Chamber on Monday June 22nd at 7 o'clock, to hear complaints of citizens on the special privilege tax ordinance and were ready to make detailed recommendations to the Council.

At the suggestion of Mr. Merrimon, it was moved that Assistant Corporation Counsel DeVere C. Lentz' name be added on the Revenue Ordinance.

The Revenue Ordinance entitled An Ordinance levying, assessing, imposing and defining the license and privilege tax of the City of Asheville for the fiscal year beginning June 1, 1931 and ending May 31, 1932 was read.

On motion of Mr. Britt, seconded by Mr. Devendorf, it was moved that the ordinance be adopted, and to become effective June 30, 1931.

Moved by Mr. Woodcock, seconded by Mr. Smith that the requirement that the ordinance be read on three separate days, be dispensed with. This motion was voted on, the following councilmen voted for the immediate passage of the ordinance; to-wit: Messrs. Britt, Boyd, Brookshire, Green Devendorf, Lipinsky, Smith, Wamboldt and Woodcock.

The ordinance was presented on its third reading and voted on, all members voting "aye". the ordinance was passed on its third and final reading.

On motion of Mr. Smith, seconded by Mr. Boyd that the ordinance be turned over to the City Manager who is instructed to have same published in Asheville newspaper having highest or seconde highest publication and have same printed in pamphlet form.

The ordinance is in the following words and figures:



ORDINANCE #152

AN ORDINANCE

LEVYING, ASSESSING, IMPOSING AND DEFINING THE LICENSE AND PRIVILEGE TAXES OF THE

CITY OF ASHEVILLE

FOR THE FISCAL YEAR BEGINNING JUNE 1, 1931 AND ENDING MAY 31, 1932.

COUNCILMEN

Ottis Green, Mayor,
Louis Lipinsky, Vice-Mayor,
Plott Boyd,
W. C. Britt,
H. G. Brookshire,
Wilbur Devendorf,
Frank S. Smith,
Wickes Wamboldt,
Julian A. Woodcock, Sr.

CITY MANAGER

H. W. Plummer

CORPORATION COUNSEL

J. G. Merrimon

ASSISTANT CORPORATION COUNSEL

DeVere C. Lentz.

ORDINANCE #152.

AN ORDINANCE

LEVYING, ASSESSING, IMPOSING, AND DEFINING THE LICENSE AND PRIVILEGE TAXES OF THE CITY OF ASHEVILLE FOR THE FISCAL YEAR BEGINNING JUNE 1, 1931 AND ENDING MAY 31, 1932.

THE CITY COUNCIL OF THE CITY OF ASHEVILLE DO ORDAIN:

SECTION 1.

That to raise funds for general municipal purposes the following license taxes hereinafter specified are hereby levied for the privilege of carrying on the business, trades professions, callings, occupations, or doing the act named, within the corporate limits of the City of Asheville from the first day of June, 1931, to the thirty-first day of May, 1932, unless for some other time or period herein specified; and all such taxes shall be due and payable in advance at the office of the Director of Finance. The payment of any particular tax herein imposed shall not relieve the party paying same from liability for any other tax specifically imposed for any other business conducted by such person.

SECTION 2

That all persons, before engaging in any business, trade, profession, calling, occupation, or doing any act on which a license tax is imposed by this ordinance, shall, except as hereinafter provided, apply in writing to the Director of Finance for license, and upon the payment of the license tax herein imposed a license shall be issued to said applicant. Such license must be posted conspicuously in the place of business licensed; and if the licensee has no regular place of business, the license must be kept where it may be inspected at all times by the proper city officials.

That no license shall be transferable or assignable except by consent of the City Manager.

SECTION 3.

(a) That any person, firm, or corporation, desiring to engage in any business, trade, or vocation, or do anything hereinafter mentioned in this paragraph, may be required to appear in person before the Director of Finance for a license, stating the place at which it is proposed to conduct the business, the nameof the owner of the business, or if the owner be a firm, the names of all members of such firm, or if the owner be a corporation, the names of the officers, including the manager. And the Director of Finance shall also have the right to require the owner, proprietor, manager, or other person interested in or connected with such business to give evidence, upon oath, touching the manner in which such business has been or is to be conducted as well as any other facts which the Director of Finance may deem necessary. The Section shall apply to the following:

(b) Owners and Drivers of For Hire Vehicles and Public Conveyances.
(c) Keepers of Billiard, Pocket Billiard, or Bagatelle Tables.
(d) Bowling Alleys, or Alley of like kind.
(e) Shooting Gallaries
(f) Cane Boards, Jingle Boards, or Knife Racks.
(g) Penny Arcades.
(h) Merry-Go-Rounds, Ferris Wheels, Switchbacks, or Roller Coasters.
(i) Or Any Kind of Table, Stand, Place, or Game Kept in a House of Room Used or Connected with a Hotel or Restaurant.
(j) Carnicals, Theatres, Motion Picture Shows, Vaudeville Shows, Dance Halls, Roof Gardens, or Menageries.
(k) Fortune Tellers, Mind Readers, Phrenologists, Palmists, or Gypsy Bands,
(l) Lunch Counters or Restaurants.
(m) Hotels, Lodging Houses or Boarding Houses.
(n) Soft Drinks.
(o) Junk Dealers
(p) Pressing Clubs.
(q) Pawnbrokers.
(r) Second-hand Dealers
(s) Gasoline or Oil Filling Pipes, Service Tanks, or Pumps.
(t) A license may be refused for any business enumerated in the preceding sect unless the City Manager shall be satified that the applicant, or the proposed manager person of good moral character, and fit and proper person to conduct such business; an unless he shall also be satisfied that the place proposed is a suitable place of the conduct of such business.

(u) Thatbilliard rooms, pool rooms, bowling alleys, bagatelle tables, or rooms where games or tables of like kind are operated; and also restaurants, cafes, lunch co or places where soft drinks are sold, shall be kept clear of screens or sight obstruct of any kind.

SECTION 4.

That before license shall be issued for any of the following businesses, t applicant shall execute a satisfactory bond, payable to the City in the amount hereinafter named, conditioned for the faithful observance by such licensee, his or its servants, age or employees, of all laws and ordinances now in force or hereafter enacted relating to su business, and further conditioned to save the City harmless from damages arising from the negligence of such licensee or agents, servants, or employees thereof, and otherwise as th City Manager may determine.

| | | |
|---|---|---|
| (a) | Pawnbrokers, ---------- | $1,000.00 |
| (b) | Junk Dealers, ---------- | 1,000.00 |
| (c) | Electrical Contractors, --------- | 1,000.00 |
| (d) | Electric Sign Contractors and Hangers, | 500.00 |
| (e) | Plumbing Contractors,---------- | 1,000.00 |
| (f) | Sidewalk or Paving Contractors doing any work on sidewalks or streets, costing not over $300.---------- | 100.00 |
| | Doing such work consisting over $300. | 1,000.00 |
| (g) | House Movers---------- | 500.00 |
| (h) | Taxicabs, ---------- | 500.00 |

SECTION 5.

That whenever the word "person" is used in this ordinance, the same shall be construed to include, "firm", "companies", "corporations", and "associations".

SECTION 6.

Where the amount to be paid for license depends upon the amount of gross sales or receipts, or other facts to be ascertained, it shall be the duty of persons apply ing for license to render to the Director of Finance a sworn statement of such gross sale or receipts duringthe preceding months, quarter, or year, as the case may be, and such other and further proof as the Director of Finance may require, or if the amount of licen to be paid is determined by other facts, then a sworn statement as to such facts, and such other and further proof as the Director of Finance may require, shall be rendered said Director of Finance;and in either case the Director of Finance shall not be required to receipt for the money or issue any license until satisfactory proofs are furnished. In case the business for which the license required is commenced after June 1, 1931, and the tax on such business is based upon gross sales or receipts or facts to be ascertained, the license shall be assessed upon probable gross sales or receipts during a term of one year or if the amount of tax to be paid is determined by other facts to be ascertained, then a sworn statement as to such facts shall be made, and the license based thereon. Provided, however, that the Director of Finance shall have the right at any time during the period covered by any license to require of such licensee additional sworn statement as to the sa and receipts or other determining facts of such business, and an additional license tax s be paid in accordance therewith.

SECTION 7.

When any business is begun after June 1, 1931, the tax in such case may be reduced in proportion to the number of full quarters that have elapsed since June 1, 1931, unless otherwise provided in the section fixing the tax; provided, however, that no license shall be issued for less than three ($3.00) Dollars.



The adoption of this schedule of license tax shall not restrict the right of the City Council to change, alter, increase, or decrease, any or all of the license taxes herein levied, or to levy taxes on businesses, trades, or professions not taxed by taxes, at any time. Andwhen any increase is made, the license shall be revoked unless such increased tax be paid within thirty (30) days.

SECTION 8.

A separate license shall be required for each place of business and every class of business for which a license tax is required by this ordinance.

SECTION 9

Any license issued under this ordinance shall be subject to revocation or suspension for a definite or indefinite time by the City Manager, without refund of any part of the tax paid, if the licensee or manager or person in charge of the business, or employee, shall violate any ordinance or law relative to such business, or be convicted of crime, or if, in the judgment of the City Manager, the licensed does by reason of it's nature or the manner or place in which it is conducted, constitute a nuisance or is a menace to good order or to public health, welfare, safety, or morals. And upon the revocation or suspension of any such license, it shall be unlawful for the person to whom such license was granted to continue to conduct such business, and upon the violation of this provision the offender shall upon conviction be fined fifty ($50.00) dollars or imprisoned thirty (30) days. Each day such business is conducted after revocation or suspension of license shall constitute a separate offense.

SECTION 10.

No free license shall be granted except to Confederate Veterans for peddling, or by special order of the City Manager exempting such poor and infirm persons as may be worthy of exemption.

SECTION 11.

The license tax imposed by this ordinance, except as otherwise herein specifically provided, shall not apply when the entire proceeds are for an organized charitable, religious, or fraternal organization, provided such organization shall apply to the City Manager and secure a Charity permit.

SECTION 12.

That each owner of any vehicle, private or for hire, public livery, or other vehicle for which license is issued, shall display on such vehicle a metallic sign to be furnished by the City.

SECTION 13.

That upon satisfactory proof that any such metal sign or tag has been lost or destroyed, the Director of Finance shall furnish a duplicate upon payment of a fee of one ($1.00) dollar.

SECTION 14.

That every person who shall violate any provision of this ordinance, or engage in any business, trade, or avocation, or profession, on which a license tax has been fixed, without having first paid the tax and received a license, shall be liable to a penalty of fifty ($50.00) dollars for each offense, and each day said business shall be carried on shall constitute a separate and distinct offense.

SECTION 15.

All license taxes imposed by this ordinance shall be due and payable in advance, and if any person shall fail to pay any license tax required by this ordinance by August 1, 1931, five (5%) percentum per month of the amount of such license shall be added to the tax required, and no license shall be granted until the license tax, plus the five (5%) percentum per month thereof has been paid. The addition of the five (5%) percentum per month on the amount of said license tax shall not exempt the delinquent from the penalties herein prescribed in case of delinquency.

SECTION 16.

LICENSE SCHEDULE.

ABATTOIR, OR SLAUGHTER HOUSE, "A" ---------- $ 50.00

ACCOUNTANTS,
Exempt by State Statutes.

ADVERTISING,
ADVERTISING NOT SPECIFICALLY TAXED, Every person engaged in the business of soliciting or contracting for advertising, or engaged in the business of advertising, and not specifically classified and taxed by this article, where tax is not prohibited by State statutes, shall pay a license tax of,

Per annum---------- $ 30.00

Provided, that this tax shall not apply to newspapers or periodicals published in the city.

ADVERTISING, OUTDOOR - BILLBOARDS. Every person, firm, or corporation, which is engaged or engages in the business of outdoor advertising by means of signboards, poster boards, or printed bulletins, and any other outdoor advertising devices, er erected upon grounds, walls, or roofs of buildings,

Per annum, ---------- $ 75.00

(a) Every person, firm, or corporation owning or maintaining signboards, poster boards, painted bulletins, printed advertisement bulletins, or other outdoor advertisements of any nature, shall have imprinted on the same the name of such person, firm, or corporation, in sufficient size to be plainly visible and permanently affixed thereto.

(b) Distribution within congested district or signtacking, advertising by tacking pasting or poles, trees, buildings, fences, or other structures except on licensed billboards PROHIBITED anywhere within the congested district.

(c) Advertising by use of brass bands or by public announcements on the streets of the city, clowning, floats, etc.,

Per day, ---------- 5.00
Per week, ---------- 25.00

ADVERTISING - DISTRIBUTORS OF SAMPLES, PRINTED ADVERTISEMENTS, AND CIRCULARS. Every person, firm, or corporation distributing circulars, handbills, or other printed matter from house to house, anywhere within the corporate limits outside the congested district, shall pay,

Per annum, ---------- 250.00
For one distribution, where the annual tax has not been paid, ---------- 50.00

Provided, that every printing establishment shall have the right to print such circulars, handbills, or other printed matter, and distribute for any person, firm, or corporation, outside the congested district, provided that in distributing said handbills, circulars, or other printed matter, the same shall be placed on or in each house where each circular, hand bills, or other printed matter can not be blown into the yards or streets; also each person, firm, or corporation distributing said circulars, handbills, or other printed matter, shall have the name of such person, firm, or corporation in sufficient size to be plainly visible and permanently fixed thereto.

ADVERTISING, PLACARDS. Every person in or on whose premises, building, or place of business placards are placed for advertising purposes, and who makes a charge therefor shall pay a license tax of,

Per annum ---------- 25.00

Provided, that every person engaged in the business of operating street cars, and placing or allowing to be placed within such cars placards for advertising purposes, and making a charge therefor, shall pay a license tax of,

Per annum ---------- 250.00

ADVERTISING, BY USE OF PICTURE MACHINES. Every person, firm, or corporation operating a moving picture machine and selling the use of the samme for advertising purposes shall pay an annual license tax as follows:

In each place where the advertisement is run, having a seating capacity of less than three hundred (300),

Per annum ---------- 40.00

In each place where the advertisement is run, having a seating capacity of three hundred (300) and less than one thousand (1,000),

Per annum ---------- 75.00

In each place where the advertisement is run, having a seating capacity of one thousand (1,000),

Per annum ---------- 100.00

ADVERTISING, BY WAGON OR VEHICLE DRIVEN THROUGH STREET WITH ADVERTISING SIGNS?

Per week, ---------- 35.00
Per day, ---------- 5.00

Provided, that no tax shall be collected where persons advertising place signs on their own vehicles, or for advertisement of football or baseball games.

Provided, that the provisions of this Section shall apply to all itinerants as defined herein who place advertisement signs on their own vehicles.



AGENTS NOT SPECIFICALLY TAXED.

Every person engaged in business as an agent [illegible] for the manufacturer, producer or distributor, and not specifically taxed by some other section of this License Schedule, shall pay a license tax of,

Per annum, ---------- $ [illegible]

AMUSEMENT DEVICES - Separate from Carnival.

See "Riding Devices".

AMUSEMENT PARKS.

Every person, firm, or corporation engaged in the business of operating a park open to the public as a place of amusement, in which there may be either a bowling alley, [illegible] animal show, penny or nickel machine for exhibiting pictures, moving picture show, theatrical performance, or similar entertainment, shall pay for the privilege of conducting such amusement park a tax as follows:

Municipal license for two (2) months or less, ---------- $ 200.00
Municipal license for four (4) months, ---------- 400.00
Municipal license for eight (8) months, ---------- 600.00
Municipal license for twelve (12) months, ---------- 800.00

The payment of the tax shall not authorize the operation of a carnival, circus, or show of any kind that moves from place to place.

ANTIQUE FURNITURE OR ORIENTAL GOODS - DEALERS IN.

Per annum, ---------- [illegible]
Itinerant, per annum, ---------- [illegible]

ANTIQUE SHOPS.

Any person, firm, or corporation selling or distributing what is commonly termed Antiques,

Per annum ---------- [illegible]

ARCADES, PENNY PARLORS, PEEP SHOWS.

Each, per annum, ---------- [illegible]
NOT PRORATED.

ARCHITECTS.

Exempt by State Statutes.

ART GOODS - MANUFACTURERS OF OR DEALERS IN.

Resident retail dealers, ---------- [illegible]
Itinerant, ---------- [illegible]

ASPHALT OR ASPHALT SUPPLIES ONLY.

Dealers, sellers, or distributors in, each,

Per annum, ---------- [illegible]

When building material tax is paid no additional tax shall be collected under this section.

ATHLETIC SUPPLIES.

Every person, firm, or corporation selling or distributing athletic supplies or equipment.

Per annum, ---------- [illegible]

ATTORNEYS.

Exempt by State Statutes.

AUCTIONEERS.

Any person, firm, or corporation that conducts auction sales of anything other than real estate shall pay an annual license tax of,

Residents, each per year, ---------- [illegible]

Any person, firm, or corporation that conducts auction sales of real estate for profit shall pay a tax of,

Residents, each per year, ---------- 50.00
Itinerants, each per year, ---------- 150.00
Itinerants, each per day, ---------- 50.00

AUTO CLEANING STATIONS,

Auto cleaning stations conducted or operate on private property,

Per annum, ---------- $ 12.50

AUTOMOBILE, MOTORCYCLE AND MOTOR VEHICLE DEALERS, AND SERVICE STATIONS.

(a) AUTOMOBILE SERVICE STATIONS. Every person engaged in the business of servicing, storing, painting, or upholstering of motor vehicles, trailers, or semi-trailers, or engaged in the business of retailing, selling, and/or delivering of any tires, tools, batteries, electrical equipment, automotive accessories or supplies, motor fuel and/or lubricants or any such commodities, shall paŭ for each location where such business is carried on a license of,

Per annum, ---------- 12.50

(b) AUTOMOBILE SERVICE STATIONS ON SIDEWALKS OR STREETS. Every person engaged in the business of operating any gasoline or oil pump located on any street or sidewalk, whether such pump is used in connection with any other business or not, and whether such pump is regularly used for the sale of gasoline or oil or not, shall pay therefor an annual license tax of,

Per pump, ---------- 100.00

Provided, all such tanks must be installed under the direct supervision and according to the instruction of the Director of Public Works. A permit to install same must be obtained from the City Manager. The Council reserves the right, however, to prohibit the installation of such tanks on public property within the congested district of the municipality. This tax is for the right to use the sidewalk and is in addition to taxes levied by this ordinance on Automotive Service Stations.

(c) AUTOMOBILE EQUIPMENT AND SUPPLY DEALERS AT WHOLESALE. Every person engaged in the business of buying, selling, distributing, exchanging and/or delivering automobile accessories, parts, tires, tools, batteries, and/or other automobile equipment or supplies or any of such commodities at wholesale, shall pay for each location where such business is carried on, a license tax for every place of business of,

Per annum---------- 62.50

Provided, any person, firm, or corporation engaged in the businesses enumerated in this section, and having no located place of business, but selling to retail dealers by truck of some form of vehicle, shall pay for such license, on each vehicle in carrying on such business, a tax of

Per annum ---------- 50.00

(d) BODY OR TOP BUILDERS. Every person engaged in the business of building bodies or tops for automobiles, busses, or trucks, including necessary curtains, shall pay therefor a license tax of,

Per annum, ---------- 50.00

(e) CURTAIN MANUFACTURERS. Every person engaged in the business of manufacturing curtains for automobiles, busses or trucks, and not building bodies or tops for such automobiles, busses or trucks, shall pay therefor a license tax of,

Per annum, ---------- 25.00

(f) MOTORCYCLE DEALERS. Every person engaged in the business of buying, selling, distributing, and/or exchanging motorcycles or motorcycles supplies, or any such commodities, shall pay therefor a license tax of,

Per annum, ---------- 20.00

(g) MOTOR VEHICLE DEALERS. Every person engaged in the business of buying, selling, distributing, servicing, storing, and/or exchanging motor vehicles, trailers, semi-trailers, tires, tools, batteries, electrical equipment, lubricants, and/or automotive equipment or supplies, shall pay for each location at which such business is carried on a license tax of

Per annum, ---------- 50.00

(h) AUTOMOBILE EQUIPMENT - USED PARTS. Every person, firm, or corporation buying or selling second-hand, used parts for automobiles, or repairing automobiles, shall pay a license tax for each business of,

Per annum, ---------- 50.00

AWNINGS, AND TENTS.

Every person operating any business of manufacturing, selling, installing,, or erecting tents or awnings shall pay a license tax of,

Per annum, ----------
Itinerants, each, ----------
NOT PRORATED.

50.00
200.00



BAGGAGE OR TRANSFER BUSINESS.

See "Drays".

BAKERY PRODUCTS, CAKES, CRACKERS AND DOUGHNUTS.

Each and every person, firm, or corporation operating a bakery or conducting a manufacturing cakes, crackers or doughnuts, shall, if selling at retail, pay a license tax of,

Per annum, ---------- $ 50.00

Selling bakery products, including bread, crackers, or cakes, doughnuts, at wholesale, a tax of,

Per annum, ---------- 150.00

Provided, that person, firm. or corporation selling and delivering bakery products, including cakes, crackers, or doughnuts, manufactured outside of the City shall pay for each vehicle used in delibering such products within the City, a license tax of,

Per annum, ---------- 75.00

And provided, further, that this tax shall not apply to merchants selling bakery products, cakes, crackers, or doughnuts, in connection with a regular merchandising business: and, provided, further, that it shall be unlawful for any person, firm, or corporation selling or delivering bakery products, after the passage of this ordinance, to sell or deliver any such products from a vehicle unless such vehicles shall have plainly and visibly painted on it the name of the person, firm, or corporation operating same, together with the name of the City where such bakery products are manufactured and to also procure from the Health Officer a "Bakery Delivery Permit", the number of which permit must be on such vehicle.

Doughnuts . retail sales only, per annum, -- 15.00
Doughnuts, wholesale sales only, per annum - 25.00

The foregoingshall not be collected from restaurants, on which restaurant tax has been paid.

BALL PARKS.

Each person, firm, or corporation selling confections, soft drinks or food supplies in any baseball or football park within the corporate limits,

Per annum, ----- 100.00

BALLOONS, NOVELTIES, SOUVENIRS, CURIOS, FLAGS, ETC.

Every individual selling or offering for sale balloons, novelties, souvenirs, curios, flags, needles, sewing equipment, paring knives, cooking utensils, or other instruments for the preparation of foods, or other classes of merchandise not specifically licensed or taxed herein, ice cream, soft drinks, lunches and fruits, shall pay a license tax of,

Per day, ----------
Per week, ----------
Per month, ----

7.50
15.00
30.00

Provided, that such tax shall not apply to any merchant selling such articles as a part of regular merchandise business and paying the tax prescribed for merchants: and, provided, that no person shall sell any food products under this Section without first obtaining a written permit from the Health Officer.

BANKRUPT OR FIRE STOCK.

Every itinerant salesman or merchant who shall expose for sale, either on the street or in a house or store building rented temporarily for that purpose, any goods, wares, or merchandise, bankrupt stock, or fire stock, not being a regular merchant in the City, shall apply for in advance and procure a license for the privilege of transacting such business, and shall pay for such license a tax of,

Per annum, ---------- 100.00

Provided, that such tax shall not apply to any receiver or trustee conducting a bankrupt sale under order of court.

BANKS AND TRUST COMPANIES.

Each person, firm, or corporation, engaged in the business of operating any general banking or trust business, and such other business as is ordinarily conducted in connection with banks and trust companies, shall pay a license tax as follows:

If its capital stock does not exceed $100,000.00,
Per annum, ---------- 50.00
If its capital stock exceeds $100,000.00, but does not exceed $200,000.00
Per annum, ---------- 100.00
If its capital stock exceeds $200,000.00,
Per annum, ---------- 150.00

BANKS- MORRIS PLAN OR INDUSTRIAL.

Every person, firm, or corporation engaged in the business of operating a Morris Plan or Industrial Bank shall pay for the privilege of engaging in such business the following tax:

| | |
|---|---|
| When the total resources, as of December 31 of the previous year, are less than $250,000.00, | $ 35.00 |
| $250,000.00 and less than $500,000.00, | 70.00 |
| $500,000.00 and less than $1,000,000.00, | 100.00 |
| $1,000,000.00 and less than $2,000,000.00, | 150.00 |
| $2,000,000.00 and less than $5,000,000.00, | 200.00 |
| $5,000,000.00 and over, | 300.00 |

Every person, firm, or corporation engaged in the business of soliciting loans or deposits for Morris Plan or other Industrial Banks, shall pay a license tax of,

Per annum, ---------- 25.00

Any bank that shall begin business during the current tax year, the tax shall be calculated on the total resources at the beginning of the business.

BARBERS COLLEGES.

Per annum, ---------- 25.00

BARBER SHOPS, BEAUTY SHOPS OR PARLORS.

Every person, firm, or corporation engaged in the business of conducting a barber shop, beauty shop, or other parlor of like kind, shall pay the following tax:

| | |
|---|---|
| For each barber chair maintained in barber shop, | 2.00 |
| For each operator in beauty shop, parlor, or other shop of like, kind in any office, hotel or other place, | 5.00 |
| Itinerant Massage Operator, per day, | 5.00 |

BARBER OR BEAUTY SHOP SUPPLIES.

Every person, firm, or corporation engaged in the selling barber or beauty shop supplies,

Per annum, ---------- 25.00

BARREL, CRATE, OR BASKET FACTORIES.

Each, per annum, ---------- 25.00

BATH HOUSES.

Every person, firm, or corporation operating or maintaining a bath or massage establishment,

Per annum, ---------- 50.00

BEAUTY SHOPS OR PARLORS.

See "Barber Shops".

BED MANUFACTURERS.

Each, per annum, ---------- 25.00

BICYCLES.

Each dealer or agent selling, supplying, repairing, or renting,

| | |
|---|---|
| Per annum, | 25.00 |
| Renting only, per annum, | 10.00 |

BILLBOARDS - ADVERTISING BY USE OF.

See "Advertising By Use Of".

BILLIARDS, POOL, BOWLING ALLEYS.

Every person, firm, or corporation, association, club, or organization by whatsoever named called, who shall run, maintain, or operate a table or tables on which billiards or pool os played, or bowling alleys, or alley of like kind, shapp pay on each table or alley so operated,

Per annum, ---------- 50.00
NOT PRORATED.

BINDERS OF BOOKS.

Including job printing, each,

Per annum, ---------- 30.00



BIRDS.

Every person, firm, or corporation, selling live birds,

Per annum, ---------- $ 10.00

Provided, that when pet shop license tax has been paid, no bird license shall be collected.

BLACKSMITH OR HORSESHOEING SHOPS.

Every person engaged in the business of operating a blacksmith or horseshoeing shop shall, for the first forge, whether used or not, in such shop, pay a license tax of,

Per annum, ---------- [illegible]

And for each additional forge, whether used or not,

Per annum, ---------- [illegible]

BLOCKS,- CEMENT.

See "Cement Blocks".

BLOWING MACHINES, LIFTING MACHINES, OR ANY EXHIBITION OR PERFORMANCE OF LIKE KIND.

Each, per day, ---------- [illegible]

BLUE PRINT SHOPS.

Every person, firm, or corporation, making or selling or distributing blue prints, each,

Per annum, ---------- [illegible]

BOARDING HOUSES.

Every person furnishing for renumeration within any residence at least one meal on any one day to as many as five or more persons, transients or permanent, shall be deemed to be operaing a boarding house and shall pay a license tax of,

Per annum, ---------- [illegible]

Provided, that such operator or owner of said boarding house has not paid a tax in Schedule under "Hotels".

BOATS AND BOAT SUPPLIES.

Every person, firm, or corporation selling boats and/or supplies and/or equipment for boats,

Per annum, ---------- [illegible]

BOND MAKERS.

(a) Every person, firm, or corporation who justifies on any bond, or makes bond for any person for profit, shall pay an annual tax of, [illegible]

(b) Every person, firm, or corporation who justifies or makes application for bond for a defendant in thepolice court of the City of Asheville, and receives compensation therefor, per annum, ---------- 500.00

Only one tax shall be collected from the same business person in any one year.

BOOK AGENTS.

| | |
|---|---|
| Per annum, | 50.00 |
| Per day, | [illegible] |

NOT PRORATED.

Each agent shall always carry the license receipt issued and show the same when called to do so by anyone whom such agent calls on for the purpose of making a sale or demonstration.

BOOK BINDERS.

See "Binders of Books".

BOOT BLACK STANDS.

Every person, firm, or corporation operating any shoe shine parlor or other place open to the public generally for the shining of shoes, shall pay a license tax thereon as follows:

| | |
|---|---|
| Where the stands, chairs, seats, boxes, or pairs of foot rests assigned for the use of boot blacks in shining shoes, and kept in such parlors or places of business, "whether regularly used or not", does not exceed two (2), | 5.00 |
| Where the number is more than two and less than six, | 10.00 |
| Where the number is six and less than ten, | 20.00 |
| Where the number is ten or more, | 30.00 |

BOTTLING WORKS,

(a) Every person, firm, or corporation manufacturing, producing, bottling, or distributing in bottles or other closed containers, soda water, coca-cola, pepsi-cola, gingerale, chero-cola, Dr. Pepper, grape, and other fruit juices or imitations thereof, carbonated, or malted beverages and like preparations commonly known as soft drinks, shall pay a special license tax under the following schedule, to-wit;

LOW PRESSURE EQUIPMENT:
Where the machine or the equipment unit used in the manufacture of the above named beverage is a:

| | |
|---|---|
| 36 spouts, or greater capacity, low pressure filler, --- | $ 150.00 |
| 32 and less than 36 spouts, low pressure filler,-------- | 125.00 |
| 24 and less than 32 spouts, low pressure filler,-------- | 112.50 |
| 18 and less than 24 spouts, low pressure filler,-------- | 87.50 |
| 12 and less than 18 spouts, low pressure filler,-------- | 62.50 |

HIGH PRESSURE EQUIPMENT:

Where the machine on the equipment unit used in the manufacture of the above named beverage is a Royal (8-head), Shields (6-head), Adriance (6-head), or other high pressure equipment having manufacturers' rating capacity of over sixty bottles per minutes, -- ---------- 150.00

Royal (6-head), Galeson (6-head), o other high pressure equipment having manufacturers' rating capacity of over fifty and less than sixty bottles per minute, ---------- ------ 125.00

Royal (4-head), Adriance (2-head), Shields (2-head), (full automatic) or other high pressure equipment having manufacturers' rating capacity of more than forty and less than fifty bottles per minute, ---------- 112.50

Dixie (automatic), Shields (2-head hand feed), Adriance (1-head), Galleson (1-head), Senior (high pressure), Junior (high pressure), or Buraz or other high pressure equiomeht having manufacturers' rating capacity of more than twenty-four bottles and less than forty bottles per minute, ---------- 87.50

Single Head Shields, Modern Bond (power), Baltimore (semi-automatic) and all other machines or equipmenthaving manufacturers' rating capacity of less than twenty-four bottles per minute, and all foot power bottling machines, ---------- 25.00

Provided, that any bottling machine or equipment unit is not herein specifically mentioned shall bear the same tax as a bottling machine or equipment unit of the nearest rated capacity as herein enumerated; provided, that where any person, firm, or corporation, or association, has within his bottling plant or place of manufacture more than one bottling machine or equipment unit then such person, firm, or corporation, or association, shall pay the tax as herein specified upon every such bottling machine or equipment unit whether in actual operation or not.

(b) Every person, firm, corporation, or association, distributing at wholesale or jobbing, bottled beverage as enumerated in subsection (a), shall pay an annual license tax of,

Per annum,---------- 87.50

Provided, however, that where the tax levied under subsection (a) has been paid on any of the articles, machines, or equipment units enumerated therein, the tax levied under this subsection shall not applu, nor shall any tax be collected on account of the delivery of the products, beverages, or articles enumerated in subsection (a) and (b), when a tax has been paid under subsections (a) and (b).

(c) Aerated, mineral, or other waters - selling or delibering in the city,

Per annum, ---------- 50.00

(d) Itinerant dealers - selling or delivering to retailers bottled soft drinks or waters, shall pay a license tax of,

Per month, ---------- 50.00

And, in addition to the above tax, for each vehicle operated in connection with,

Per vehicle, ---------- 10.00

BOWIE KNIVES.

Any person, firm, or corporation who shall keep in stock, or offer for sale any bowie knives, dirks, daggers, slingshots, lodaed canes, or brass, iron or metallic knuckles, shall pay a license tax of,

Per annum, ---------- 200.00

BOWLING ALLEYS.

See "Billiards".



BOX FACTORIES.

Per annum, ---------- $ 10.00

BRANCH AND CHAIN STORES.

See "Chain and Branch Stores".

BRASS BANDS - ADVERTISING BY THE USE OF, IN THE CONGESTED DISTRICT OF THE CITY.

See "Advertising by the Use of ".

BRASS KNUCKLES.

See "Bowie Knives".

BROKERS - COTTON.

Every person, firm, or corporation, engaged in the business of buying and/or selling on commission any cotton, grain, provisions, or other commodities either for actual, spot, or instant delivery, shall pay a license tax of,

Per annum, ---------- [illegible]

BROKERS, LUMBER - DEALERS OR AGENTS.

See "Lumber Agents".

BROKERS - MERCHANDISE AND STOCK.

On every commission merchandise broker or dealer engaged in the buying and selling of goods and merchandise on commission, a license tax shall be [illegible] of,

Per annum, ---------- [illegible]

BROKERS - PAWN.

On every person, firm, or corporation engaged in lending money or other things for profit, or on account of specific articles of personal property deposited with the lender in place, a license tax of,

Per annum, ---------- [illegible]

Applicants for pawnbroker's license must apply to the City Manager, in person, for license, and file bond with a company licensed to do such business in the State of North Carolina as surety, conditioned as the said City Manager may determine; said bond must be approved by the Solicitor of the Police Court; [illegible], every pawnbroker shall make a daily report to the Chief of Police, such report to give an accurate record of each individual article received and pledged as security, showing name and address of owner, description of article, sufficient for identification, amount advanced for loan; such report to be made in a [illegible], legible manner on [illegible].

Any person, firm, or corporation, transacting the business of pawnbroking without license as provided in this section, or violating any of the provisions of this section, shall be guilty of a misdemeanor and fined not less than fifty ($50.00) dollars nor more than five hundred ($500.00) dollars.

BROKERS - STOCK.

Every dealer in stocks, bonds, or other securities, whether engaged in buying or selling on commission, or buying outright, shall pay a license tax of,

Per annum, ---------- [illegible]

BUILDING AND LOAN ASSOCIATIONS.

Every building and loan association, domestic or foreign, operating on a mutual or cooperative basis for the purpose of making loans to its members only, and of enabling its members to acquire real estate, make improvements thereon, and remove incumbrances therefrom by the payment of money in periodical installments or principal sums, and for the accumulation of a fund to be returned to members who do not obtain advances for such purposes, shall pay an annual license tax as follows:

A tax of two (2¢) cents on each one hundred ($100.00) dollars of actual book value of shares of stock issued and outstanding on the 31st day of December, 1970. as shown by reports of such association to the Insurance Commissioner, and approved by said Commissioner.

BUILDING MATERIALS.

(a) Every person, firm, or corporation engaged as a dealer in lumber or other building materials, shall pay a license tax of,

Per annum, ---------- [illegible]

(b) BUILDING MATERIAL BROKERS. Every person, firm, or corporation engaged in the business of building materials shall pay a license tax of,

Per annum, ---------- [illegible]

(c) Every person, firm, or corporation, hauling or delivering lumber in the City of Asheville, not having paid the tax in sub-sections (a) and (b), shall pay the following tax:

On each one-ton truck or less, ----------$ 50.00
On each truck over one-ton, ---------- 75.00
On each two-horse wagon, ---------- 24.00
On each one-horse wagon, ---------- 15.00

BUTCHER SUPPLIES.

Dealers in butcher supplies shall pay a license tax of, each,

Per annum, ---------- 50.00

BUYING AND SHIPPING OF TELEPHONE POLES, CROSS-TIES, LOGS, TAN BARK, ACID WOOD or SIMILAR ARTICLES - OFFICE ONLY.

Each, per annum, ---------- 25.00

"C"

CABINET OR FURNITURE REPAIR SHOPS.

Per annum, ---------- 25.00
Shop at Private Residence, ---------- 10.00

CAKES AND CRACKERS.

See "Bakeries".

CAMERAS AND KODAKS.

Every person, firm, or corporation, selling or renting cameras or kodaks,

Per annum, ---------- 15.00

CANDY MANUFACTURERS OR KITCHENS.

Every person, firm, or corporation manufacturing candy or other confectioneries, each,

Per annum, ---------- 50.00

CANDY.

Every person, firm, or corporation selling candy and/or chewing gum at retail.

Per annum, ---------- 5.00

At wholesale, where twenty (20%) percent of the business done is the selling of candy,

Per annum, ---------- 100.00

At wholesale, where less than twenty (20%) percent of the business done is the selling of candy,

Per annum, ---------- 10.00

On each truck delivering candy or chewing gum or other confections, or tobacco products for concerns which have not paid the wholesale tax herein levied,

Per annum, ---------- 50.00

CANES - LOADED.

See "Bowie Knives".

CANE RACKS.

Racks, for canes or knives, each.

Per day, ---------- 100.00

CANVASSERS.

Every person, firm, or corporation engaged in the business of canvassing,

Per annum, ---------- 20.00

NOT PRORATED.

A canvasser shall mean anyone who solicits orders for business, or sells from house to house anywhere within the corporate limits of the City of Asheville.



CAP PISTOLS.

See "Fire Works".

CARBIDE MANUFACTURERS OR DISTRIBUTORS.

Every person, firm, or corporation engaged in the business of manufacturing or selling or distributing carbide,

Per annum, ---------- $ [illegible]

CARDS - PLAYING

Per annum, ---------- [illegible]
NOT PRORATED.

CARNIVAL COMPANIES.

Every person, firm, or corporation engaged in the business of a carnival company or a show of like kind, moving pictures and vaudeville shows, museums, and menageries, merry-go-rounds, ferris wheels, riding devices, and other like amusements and entertainments, eating places, riding devices, or any of them operating together on the same lot or contiguous lots or streets, traveling from place to place, whether owned and actually operated by separate persons, firms, or corporations or not, filling week-stand engagements, or giving week-stand exhibitions, under canvas or not, or a part of a week, shall pay for the privilege of engaging in such business or amusements, for each week or part of a week, the following tax:

Consisting of not more than two (2) distinct attractions, per week or par thereof, ---------- [illegible]

Consisting of two (2) and not more than five (5) distinct attractions, per week or part thereof, ---------- [illegible]

Consisting of more than five (5) distinct attractions per week or part thereof, ---------- [illegible]

Before any carnival company shall give any performance or exhibition, or open for the transaction of business within the corporate limits of the City of Asheville, an application in writing shall be made in the City Council, verified by the owner or manager of such carnival company, and giving the following information:

The name of the owner of such carnival company, and in the event such owner is a corporation, the state where chartered and its office or principal place of business, together with the names of the officers of such corporation, or if a partnership, the names of all the partners; also, the route for a period of three weeks following the playing in the City of Asheville.

Only one carnival will be licensed to play within the corporate limits of the City during any one month, and in the event of the granting of any license or permit, such permit shall only authorize the operation of the exhibition known as "shows" or "rides", and the operation of any gambling games, including "wheels", "stores", or other concessions are expressly prohibited, and the right is hereby reserved to refuse any and all applications for permits, and in no event will any rebates, reductions from the tax levied, be made for any cause whatsoever.

A cash deposit of fifty ($50.00) dollars will be required from each carnival before "setting up" on lot, to defray the expenses of the Sanitary Department for cleaning up the lot used. The actual cost of cleaning will be charged, and a refund will be made in the event of any surplus.

CARPET OR RUG CLEANING

Per annum, ---------- [illegible]

CASKETS, COFFINS - DEALERS IN.

Every person, firm, or corporation engaged in the business of burying dead or embalming the dead, or in the retail of coffins, caskets, or other funeral supplies, shall pay a license tax of,

Per annum, ---------- 100.00

Provided, this Section shall not apply to a cabinet maker who is not an undertaker, who makes coffins to order, nor to licensed embalmers.

CEMENT BLOCKS.

Manufacturers of cement blocks, or pipe manufacturers, each

Per annum, ---------- 15.00

CEREAL MANUFACTURERS.

Every person, firm, or corporation manufacturing cereals, shall pay a tax of,

Per annum, ---------- 25.00

CHAUTAUQUAS AND ENTERTAINMENTS - CHARITABLE.

Per week or part week, ---------- $ 20.00

All exhibitions or entertainments given for the sole benefit of religious, charitable, or educational objects shall be exempt from taxation.

Provided, that when operas, chautauquas, star courses, or theatrical troupes are employed such as usually appear in licensed halls, then the tax shall be the same as that imposed on traveling theatrical companies performing in unlicensed halls.

Provided, further, that no tax shall be charged for any exhibition or entertainment for thesole benefit of religious, charitable, or educational objects, and given in halls used at the time exclusively for such objects, nor for exhibitions given at city parks when no charges for admission are made.

CHAIN AND BRANCH STORES.

Every person, firm, or corporation engaged in the business of operating or maintaining, under the same general management, supervision, or ownership, two or more stores or mercantile establishments where goods, wares and/or merchandise is sold or offered for sale at retail, shall be deemed a branch or chain store operator. On each and every such store operated, in excess of one,

Per annum, ---------- 50.00

CHEMISTS - MANUFACTURER,

Each, per annum, ---------- 15.00

CHEWING GUM- DEALERS IN.

See "Candy".

CHICKENS-BABY.

Every person, firm, or corporation selling from their business establishment any chickens under six weeks of age, shall pay a license tax of,

Per annum, ---------- 10.00

CIGARS, CIGARETTES, AND TOBACCO- RETAILERS AND JOBBERS.

Every person, firm, or corporation engaged in the business of retailing and/or jobbing cigars, cigarettes, chewing tobacco, smoking tobacco, snuff, or any other tobacco products, shall pay a license tax of,

Per annum,---------- 10.00

CIRCUSES.

Every person, firm, or corporation engaged in the business of exhibiting performances, such as a circus, menagerie, wild west show, dog an/or pony show, or any othershow, exhibition, or performance similar thereto, shall pay the following tax for each day of part thereof:

(a) Such shows and/or exhibitions traveling on railroads, and requiring transportation of .

| | |
|---|---|
| Not more than two cars,---------- | 12.50 |
| Three to five cars, inclusive,--------- | 20.00 |
| Six to ten cars, inclusive,---------- | 37.50 |
| Eleven to twenty cars, inclusive,------ | 50.00 |
| Twenty-one to thirty cars, inclusive,--- | 75.00 |
| Thirty-one to fifty cars, inclusive,---- | 100.00 |
| Over Fifty cars,---------- | 125.00 |

(b) Such shows and/or exhibitions traveling by automobiles, trucks , or other vehciles, other than railroad cars, and requiring transportation by:

| | |
|---|---|
| Not over two vehicles,---------- | 5.00 |
| Three to five vehicles,---------- | 7.50 |
| Six to ten vehicles,---------- | 10.00 |
| Eleven to twenty vehicles,---------- | 12.50 |
| Twenty to thirty vehicles,---------- | 17.50 |
| Thirty to fifty vehicles,---------- | 22.50 |
| Over fifty vehicles, per vehicle in excess thereof,---------- | 1.00 |

(c) Each sideshow, curiosity show, or other similar show, exhibiting on the same or contiguous lots within circus, the tax shall be,

Per day, or part of a day,---------- 7.50

And each separate tent shall be regarded as a sideshow and shall pay the license tax hereinbefore provided.



The payment of the foregoing tax shall only permit the exhibition on [illegible] "kid show", or in circus parlance, the "kid show". Before any permit for the [illegible] menagerie, wild west show, or dog and pony show, will be given, an application shall be made to the City Manager, which application must show the name, title of the [illegible] or other exhibition, the manager thereof, the owner [illegible] corporation, the principal office or place of business and the officers thereof, and the route of such circus or exhibition, for the six days following any performance in Asheville, and if such route is not determined at the time of such application it must be filed before giving any performance within the City; the number of cars, including "advantage cars", the lot upon which the "big top", "pook house", [illegible], the number of tents and equipment will be placed; whether a parade will be given or not; the [illegible] of merchandise to be vended and the retail price thereof; which application must be sworn to and subscribed before an officer authorized to administer an oath; provided further, that the tax shall be based on the report of the State Tax [illegible] or an actual count of cars by the Director of Finance and the payment of a license on [illegible] sideshows shall not authorize orpermit the operation or the sale of any [illegible] soft drinks, or other merchandise without payment of the tax specifically designated in upon such sales, and the sale of any and all foodstuffs shall be under the supervision of the Health and Sanitary Departments, and all ordinances regulating the handling of food shall apply to sales by any circus, their servants, agents, employees or [illegible] ionaries.

Provided, further, that a cash deposit of fifty ($50.00) dollars will be required from each circus or exhibition before "setting up" on lots, to defray the expenses of the Sanitary Department for cleaning up the lot used. The actual cost of such cleaning will be charged and refund will be made in the event of any surplus. A deposit to cover cost of water used from the city supply will be required in connection with the size of the circus.

CLAIM OR COLLECTION AGENCIES.

Every person engaged in the business of operating for profit a collection agency for the purpose of collecting accounts, bills, notes, or any other indebtedness from [illegible] favor of another, shall pay a license tax of,

Per annum, ---------- $ [illegible]

Provided, that this Section shall not apply to regularly licensed attorneys-at-law.

CLEANERS OR DYERS OF HATS.

See "Pressing Clubs".

CLEANING AND PRESSING ESTABLISHMENTS.

See "Pressing Clubs".

CLOTHING.

Taking measures for wearing apparel of any kind [illegible] carrying on a regular business [illegible] taxes within said City,

First day,---------- [illegible]
Each day thereafter, ---------- [illegible]

CLOTHING(SECOND HAND).

Dealers in second hand clothing shall pay a license tax of,

Per annum, ---------- [illegible]

Provided, that all such dealers shall secure a permit from the Health Officer.

COAL AND COKE DEALERS.

(a) WHOLESALE. Every person, firm, or corporation, with [illegible] in and conducting the business of selling coal or coke in carload lots, or in [illegible] quantities, shall be deemed a wholesale dealer, and shall pay a license tax of,

Per annum, ---------- [illegible]
NOT PRORATED.

Provided, that if such wholesale dealer shall also sell coal or coke in [illegible] carload lots, he shall not be subject to the retailer's license tax provided in sub-division (b) hereof.

(b) RETAIL. Every person, firm, or corporation engaged in and conducting the business of selling coal or coke at retail shall pay for each place of business from which coal or coke is sold or delivered, a license tax of,

Per annum, ---------- [illegible]

COCA-COLA, -BOTTLING WORKS, MANUFACTURERS OF.

See "Bottling Works".

COFFEE ROASTERS.

Each person, firm, or corporation engaged in operating one or more coffee roasting machines, shall pay a license tax of,

Per annum, ---------- $ 25.00

COFFINS, CASKETS - DEALERS IN.

See "Caskets, Coffins - Dealers in".

COLD STORAGE WAREHOUSES.

On each person, firm, or corporation operating a warehouse where cold storage is furnished for any purpose,

Per annum, ---------- 150.00

COMMERCIAL AGENTS.

Each, per annum, ---------- 50.00

COMMISSION BUYERS AND SELLERS.

Every person, firm, or corporation, who or which engages in the business of buying and/or selling on commission any cotton, grain, provisions or other commodities, either for actual, spot, or instant delivery, shall pay a license tax of,

Per annum, ---------- 50.00

CONFECTIONERS.

Every person, firm, or corporation operating a business where candies and/or fruits constitute the chief article of trade, shall pay a license tax of,

Per annum, ---------- 50.00

CONTRACTORS AND CONSTRUCTION COMPANIES.

(a) BUILDING CONTRACTORS AND CONSTRUCTION COMPANIES. Every person who, as building contractor, for a fixed price, commission, fee or wage, offers or bids to construct or to superintend the construction of any building, high-way, street, sidewalk, bridge, culvert, sewer, water or draining system, electric or steam railway, reservoir or dam, hydraulic or power plant, transmission line or tower, excavation, or grading or other improvement or structure, or any part thereof, shall pay a license tax of,

Per annum, ---------- 10.00

(b) ELECTRICAL CONTRACTORS. Every electrical contractor holding a Certificate A, who is engaged in the business of wiring houses with electrical wiring or installing electrical apparatus of any kind, shall pay a license tax as follows:

If not more than three certified electricians are employed
Per annum, ---------- 20.00

If more than three and less than six certified electricians are employed,
Per annum, ---------- 50.00

If six or more certified electricians are employed,
Per annum, ---------- 100.00

(c) HEATING, PLUMBING, STEAM, GAS, SPRINKLER, AND OTHER PIPE FITTING CONTRACTORS.

Every person engaged in business as a heating, plumbing, steam, gas, sprinkler, or other pipe fitting contractor, shall pay a license tax as follows:

If not more than three journeymen plumbers or fitters are employed
Per annum, ---------- 20.00

If more than three and less than six journeymen plumbers or fitters are employed,
Per annum, ---------- 50.00

If more than six journeymen plumbers or fitters are employed,
Per annum, ---------- 100.00

(d) PAINTING CONTRACTORS AND ITINERANT SMOKE STACK AND STRUCURAL STEEL PAINTERS. Every person engaged in business as a painting contractor shall pay a license tax of,

Per annum, ---------- 25.00



Provided, however, that [illegible] pay a license tax of,

Per annum, ----------
Per month, ----------

(e) PLASTERING CONTRACTORS. [illegible] contractor shall pay a license tax of,

Per annum, ----------

(f) SHEET METAL, TINNING, ROOFING, AND VENTILATING CONTRACTORS. [illegible] in business as a roofing, sheet metal, tinning, or ventilating contractor, or operating a tin shop, shall pay a license tax as follows:

If not more than three persons are employed,
Per annum, ----------

If more than three and less than six persons are employed,
Per annum, ----------

If six or more persons are employed,
Per annum, ----------

Provided, that such tax shall not apply to any person [illegible] subsection (e) of this Section, for heating, plumbing, [illegible]

(g) WRECKING CONTRACTORS. Every person making any contract to demolish, tear down any house or building, and every person engaged in the business of demolishing, wrecking, or tearing down houses or buildings, shall pay a license tax of,

Per annum, ----------

(h) CONTRACTORS -MISCELLANEOUS. Every person engaged in [illegible] not otherwise specifically taxed by this Article, shall pay a license tax of,

Per annum, ----------

COTTON BROKERS.

See "Brokers, Cotton".

COTTON MILLS.

Every person, firm, or corporation operating a cotton mill, shall pay a license tax of,

Per annum, ---------- [illegible]

COUPON BOOKS.

Every person, firm, or corporation issuing, selling, and/or delivering books or other similar devices containing coupons or tokens of trade which may be redeemed at any business house and accepted as a discount, bonus, premium, or allowance in part trade or patronage, shall pay a license tax of,

Per annum, ---------- [illegible]

CREAMERIES, DAIRIES, AND MILK PASTEURIZERS.

(a) Each establishment shall pay a license tax of,

Per annum, ---------- [illegible]

(b) On each motor vehicle hauling or delivering milk [illegible] a license tax shall be paid of,

Per annum, ----------

(c) On each horse-drawn vehicle, a license tax shall be paid of,

Per annum, ----------

DANCING TEACHERS.

Each, per annum, ---------- [illegible]

DECORATORS.

Every person, firm, or corporation placing decorations or bunting on buildings, streets, or other places forhire shall pay a license tax of,

Resident, ---------- [illegible]
Itinerant, ---------- [illegible]
NOT PRORATED.

DECORATORS- INTERIOR.

See "Interior Decorators".

DELICATESSENS.

Every person, firm, or corporation operating a delicatessen stand, whether in connection with a restaurant or not, shall pay a license tax of,

Per annum, ---------- $5.00

DELIVERY AGENCIES.

Parcel or delivery companies shall pay a license tax of, each,

Per annum, ---------- 100.00

Provided, however, that persons, firms, or corporations delivering packages, parcels or bundles and charging for such service, not using an automobile and using less than motorcycles, shall pay a license tax of,

Per annum, ---------- $5.00

DENTAL SUPPLIES OR EQUIPMENT.

Every person, firm, or corporation selling, distributing, and/or jobbing dental supplies shall pay a license tax of,

Per annum, ---------- 50.00

Provided, however, that the provisions of this section shall not apply to licensed druggists drug stores, or licensed dentists.

DENTISTS.

Exempt by State Statutes.

DETECTIVE AGENCIES.

Each, per annum, ---------- 50.00
Each employee of any agency, ---------- 10.00

DEVICES, TRADING STAMPS, ETC.

On every person, firm, or corporation engaged in the business of issuing, selling, or delivering trading stamps or checks, receipts, certificates, tokens, or other similar devices to persons engaged in trade or business with the understanding or agreement expressed or implied that the same shall be presented or given by the latter to their patrons as a discount, bonus, premium, or as an inducement to secure trade or patronage, and that the person, firm, or corporation selling and/or delivering the same will give to the persons presenting or promising to present money or thing of value, or any commission or preference in any way on account of possession or presentation thereof, a license tax of,

Per annum, ---------- 200.00

(a) This Section shall not be construed to apply to a manufacturer or to a merchant who sells the goods, wares, or merchandise of such manufacturer offering to present to the purchaser or customer a gift of certain value as an inducement to purchase such goods, ware, or merchandis.

DIRECTORIES.

Every person, firm, or corporation compiling, selling, or delivering city directories shall pay a license tax of, each,

Per annum,---------- 50.00

DOGS.

Each, per annum, (male),---------- 1.00
Each, per annum, (female),--------- 3.00
More than one (1) dog, each additonal, 5.00
Three (3) dogs or more, See "Kennells".

Provided, that any dog caught on the streets in the City of Asheville shall be impounded, and a fee of one ($1.00) dollar per day shall be paid by the owner or anyone wishing to release the dog, and if the dog is not called for within five days, the owner shall have no claim.

Any dog catcher disposing of any dog except through the provisions of law, shall be guilty of a misdemeanor upon conviction.

DOUGHNUTS.

All Brown Bobby or doughnut machines, each,

Per annum, ---------- 10.00



DRAYS, TRUCKS, MOVING VANS, TRANSFER COMPANIES, ETC.

See "Motor Vehicles for Hire".

DRESSERS OF HAIR.

Each, per annum, ---------- [illegible]

Provided, that each and every itinerant hair dresser in the City of Asheville, who dressing any person's hair for compensation, shall pay a license tax of,

Per annum, ---------- $100.00

Provided, further, that each and every dresser of hair shall apply to the Health Department for a Special Health Permit or license before dressing any person's hair for compensation in said City.

DRUG STORE LUNCHES.

See "Restaurants".

DYERS AND CLEANERS OF HATS.

See "Cleaners of Hats".

DYERS.

Every person, firm, or corporation engaged in the business of dying any rug, carpet, or wearing apparel, shall pay a license tax of,

Per annum, ---------- [illegible]

"E"

ELECTRICAL ENGINEERS.

Exempt by State Statutes.

ELECTRICAL EQUIPMENT, FIXTURES, OR SUPPLIES.

Every person, firm, or corporation selling or distributing any electrical equipment, supplies, or fixtures, shall pay a license tax of,

Per annum, ---------- [illegible]

ELECTRICAL CONTRACTORS, PLUMBERS, STEAM AND GAS FITTERS.

Every person, firm, or corporation engaged in the business of electrician, plumber, steam or gas fitter, or installing electrical equipment, or offering to perform such work in, shall pay the following tax per annum:

Employing three person or less,-------- [illegible]
Employing more than three persons and less than 6,---------- [illegible]
Employing six persons or more, -------- 150.00

ELECTRIC LIGHT COMPANIES.

On every electric light company, power company, gas company, or street railway company doing business or having an office within the City, an annual license tax of one (1%) per centum on thegross receipts of its said business.

ELECTRIC SIGNS.

Every person, firm, or corporation selling, making, or distributing electric signs, shall pay a license tax of,

Per annum, ---------- [illegible]

ELEVATORS.

Every person, firm, or corporation engaged in the business of selling or erecting or servicing or equipping or installing elevators, shall pay a license tax of,

Per annum, ---------- 150.00

EMBALMERS.

Exempt by State Statutes.

EMPLOYMENT AGENTS AND AGENCIES.

(a) EMIGRANT AGENTS. Every emigrant agent or person engaged in the business of procuring laborers for employment outside of Buncombe County shall pay a license tax of,

Per annum, ---------- $ 500.00
NOT PRORATED.

Provided, that such tax shall not apply to any resident person for taking laborers to some place outside of Buncombe County for the purpose of using them for his own employment.

(b) EMPLOYMENT AGENCIES. Every person engaged in the business of operating any agency for employing cooks, house servants, office help, teachers, laborers, or persons for any employment whatsoever, and making a charge for the services rendered, shall pay a license tax of,

Per annum, ---------- 50.00
NOT PRORATED.

ENGINEERS, CIVIL.

Exempt by State Statutes.

ENGRAVING OR LITHOGRAPHING ESTABLISHMENTS OR SHOPS.

Each, per annum, ---------- 25.00

ENTERTAINMENTS, OPERAS, CHAUTAUQUAS, STAR COURSES, OR THEATRICAL TROUPES.

Such as usually appear in licensed halls, tents, or theatres, employed by or for charitable, religious, benevolent, or educational purposes, shall pay a license tax of,

For each day or part of day's exhibition, or performances, ---------- 25.00

Provided, however, that if such chautauqua, opera, star course, theatrical troupe, or entertainment shall obtain a State License Tax as provided under Section 103, Subsection G of the 1931 Revenue Act, shall pay a license tax of,

For each week or part thereof, ---------- 20.00

EVERGREENS, CHRISTMAS TREES AND DECORATIONS.

Every person, firm, or corporation selling or offering for sale evergeens, christmas trees or other decorations of a like or similar kind on streets, shall pay a license tax of,

Per annum, on every person, ---------- 15.00
Per annum, on each truck or wagon, -------- 25.00
NOTPRORATED.

Sale on streets, where flower sales are prohibited, not permitted.

EXPLOSIVES.

Every person, firm, or corporation selling and/or distributing dynamite, powder, or other explosives, shall pay a license tax of,

Per annum, ---------- 100.00

EXPRESS COMPANIES.

(a) Every person, firm, or corporation, domestic or foreign, engaged in the business of an express company, as defined in the 1931 Revenue Act, shall pay for the privilege of doing business within the municipal limits, a license tax of,

Per annum, ---------- 75.00

(b) Every person, firm or corporation hauling or delivering express within the corporate limits of the City of Asheville, shall pay an annual license tax as follows:

On each motor vehicle of one ton capacity or less,---------- 25.00
On each motor vehicle of more than one ton capacity and not more than two,---------- 35.00
On each motor vehicle over two ton cpacity, 40.00

EXHIBITIONS OR EXHIBITS NOT SPECIFICALLY TAXED HEREIN.

Per day,---------- 5.00



June 27, 1931

"F"

FACTORIES- BARREL, CRATE, BASKET.

See "Barrel Factories.

FACTORIES- BOX.

See "Box Factories".

FARM PRODUCTS.

See "Produce and Fruits".

FEATHER RENOVATORS.

Each, per annum, ---------- $ 25.00

FERRIS WHEELS

See "Riding Devices".

FERTILIZER DEALERS.

Each person, firm, or corporation, or their agents, selling, delivering, or distributing fertilizer, shall pay a license tax of, each,

Per annum, ----------

Mixers or manufacturers of fertilizer shall pay [illegible] tax of,

Per annum, ----------

Provided, however, only the latter shall be [illegible] a dealer.

FILLING STATIONS.

See "Automobile Service Stations".

FILMS- MANUFACTURERS, SELLING, OR RENTING.

Exempt by State Statutes.

FIRE INSURANCE COMPANIES.

Exempt by State Statutes.

FIRE WORKS.

Every person, firm, or corporation engaged in the business of selling or offering for sale cap pistols, fire crackers, fire works, or other articles of like kind, shall pay a license tax of,

Per annum, ---------- 100.00

FISH - ORNAMENTAL.

Every person, firm or corporation, selling gold, silver, or other ornamental fish for use in an aquarium, bowls, or other ornamental purposes, shall pay a license tax of,

Per annum, ---------- 10.00

This tax shall not be collected when a [illegible] shop license is obtained.

FISH- PEDDLERS OF.

Prohibited.

FISH AND OYSTER DEALERS.

Each, per annum, ---------- 25.00

Provided, that all dealers in fish and oysters shall secure a permit from the Health Officer.

FISHING TACKLE.

On every person, firm, or corporation selling fishing tackle, rods, or other fishermen supplies, a license tax shall be paid of,

Per annum, ---------- 10.00

This tax shall not be collected when athletic supply license is obtained.

FIVE AND TEN CENT STORES.

Every person, firm, or corporation engaged in the operation of a business commonly known and designated as a "Five and Ten Cent Store", or where the majority of the articles of merchandise are offer for sale and are priced at less than one dollar, shall pay a license tax of,

Per annum, ---------- $ 250.00

FLAGS- ITINERANTS SELLING.

See "Balloons".

FLOOR FINISHERS.

Floor finishers using electrically operated machinery shall pay a license tax of,

Per annum, ---------- 25.00

FLORISTS.

On every person, firm, or corporation operating or maintaining a shop or store for the sale of flowers or ornamental plants a license tax shall be paid of,

Per annum, ---------- 50.00

On every person, firm, or corporation operating or maintaining a wagon or truck for the sale of flowers or ornamental plants on the streets of the City and not paying the foregoing tax, on each truck or wagon shall be paid a license tax of,

Per annum, ---------- 25.00

On every person selling cultivated or grown flowers on the street, shall be paid a license tax of,

Per annum, ---------- 15.00

On every person selling only wild flowers or plants shall be paid a license tax of,

Per annum, ---------- 7.50

The foregoing tac shall not be prorated.

Sale of flowers and ornamental plants on sidewalk and streets hereinafter anumerated expressly PROHIBITED. On Pack Square: Patton Avenue from Pack Square, to Coxe Street; Haywood Street from Patton Avenue to south property line of Municipal Auditorium; West College Street from Haywood Street to North Lexington Avenue; Government Street; Hall Street; and Battery Park Place.

FLOUR & GRIST MILLS.

On each and every person operating a flour or grist mill a license tax shall be paid

Per annum, ---------- 150.00

FLYING-JIMMY OR MERRY-GO-ROUND.

See "Riding Devices".

FOUNDARIES OR MACHINE SHOPS.

Each, per annum, ---------- 150.00

If dealing in old scrap brass, copper, or lead, additional

Per annum, ---------- 100.00

Foundaries or machine shops buying or selling old scrap brass, copper, or lead, are hereby required to keep the same records as are required of junk dealers.

FOUNTAINS- SODA.

Every person, firm, or corporation engaged in the business of operating a soda fountain shall pay a license tax of,

Per annum, ---------- 20.00

FRANCHISES- SPECIAL

See "Automobile Service Stations on Sidewalks or Streets".

FRATERNAL INSURANCE ORDERS.

Exempt by State Statutes.

FRUIT PEDDLERS.

See "Farm Products".



FRUIT AND CONFECTIONERY DEALERS.

See "Confectioneries".

FRUIT AND PRODUCE.

See "Produce and Fruit".

FRUIT-WHOLESALE ESTABLISHMENTS.

Every person, firm, or corporation engaged in the wholesale or distribution of fruit and/or produce, shall pay a license tax of,

Per annum,---------- $ [illegible]

FRUIT STANDS.

When the principal articles of sale is fruit, a license tax shall be paid of,

Per annum, ---------- [illegible]

FUR CLOTHING DEALERS.

Every person, firm, or corporation selling (the) fur coats, [illegible] articles made in whole or in part out of fur, shall pay a license tax of,

Per annum, ---------- [illegible]

FURS (HIDES EXCEPTED).

Dealers in green or raw furs, each,

Per annum, ---------- 100.00

FURNACES -DEALERS IN.

Every person, firm,or corporation selling, distributing, or [illegible] furnaces or boilers only, shall pay a license tax of,

Per annum, ---------- 50.00

FURNITURE STORES.

Every person, firm, or corporation selling furniture, not [illegible], shall pay a license tax of,

Per annum, ---------- [illegible]

A wholesale

Per annum, ---------- [illegible]

Every person, firm, or corporation buying or exchanging used furniture, [illegible] beginning business, secure a permit from the Health Officer.

"G"

GALLERIES-SHOOTING.

Each, per annum, ---------- 250.00

GAMES.

Games for sport or play, including boxing and wrestling matches, conducted for profit not herein specifically licensed.

Each exhibition, or game,---------- 15.00
NOT PRORATED.

The foregoing shall not be collected from interscholastic or intercollegiate athletic contests, or baseball games.

GAS COMPANIES.

See "Electric Light Companies".

GASOLINE DISTRIBUTORS.

(a) Every person, firm, or corporation engaged in the business of selling illuminating or lubricating oils, greases or benzine, naptha, gasoline, or other products of like kind duly licensed under the provision of Section 137 of the 1951 Revenue Act, shall pay a license tax of,

Per annum,---------- 50.00

(b) Those not licensed under the provisions of this Section 137 of the 1951 Revenue Act, shall pay a license tax of,

Per annum, ---------- 300.00

GASOLINE OR OIL PIPE LINES- ANNUAL.

Laid in or across any public street, sidewalk, or alley, a tax of ten (10¢) cents per

lineal foot of such pipe line. Provided, however, that no such pipe line shall be laid without first obtaining a license or permit by the City Manager, which license or permit may be granted or refused in the discretion of the Council, in the interest of Public Safety or convenience.

GILT ENTERPRISES (ITINERANT).

See "Enterprises".

GINERALE - BOTTLING OR WHOLESALE DEALERS.

See "Bottling Works".

GLASS.

Every person, firm, or corporation selling or distributing glass shall pay a license tax of,

| | |
|---|---|
| At wholesale, per annum, ---------- | 100.00 |
| At retail, per annum, ---------- | 50.00 |

The foregoing retail tax is not collectible where building material tax is paid.

GOLF -MINIATURE.

| | |
|---|---|
| Per annum, ---------- | 35.00 |

GOODS, WARES, AND MERCHANDISE - PEDDLING OF.

(a) Any person, firm, or corporation who or which shall carry from place to place any goods, wares, or merchandise, and offer to sell or barter the same, or actually sells or barters the same to other than merchants, dealers, or those regularly engaged in a mercantile business, shall be deemed a peddler and shall pay the following tax:

| | |
|---|---|
| 1. Peddling on foot, per annum,---------- | 25.00 |
| 2. Peddling with horse or other animal and with or without vehicle, for each vehicle, per annum, ---------- | 75.00 |
| 3. Peddling with motor vehicle, for each vehicle, per annum, ---------- | 100.00 |

(b) Every person, firm, or corporation who or which shall carry from place to place, for sale or exchange, any patent, proprietary, or domestic medicines, salves, liniments of compounds of a similar kind, or any spices, extracts, or toilet articles, or articles of like kind, shall pay a license tax of

| | |
|---|---|
| Per annum, ---------- | 100.00 |

(c) Not Regular Merchants: Every itinerant saleman or merchant who shall expose for sale, either on the street or in a house rented temporarily for that purpose any goods, wares, or merchandise, bankrupt, stock, or fire stock, not being a regular merchant in the City of Asheville, shall pay a license tax of,

| | |
|---|---|
| Per annum, ---------- | 100.00 |

(d) All persons who do not keep a regular place of business, open at all times in regular business hours and at the same place, who are engaged in the business of offering for sale any goods, wares, or merchandise, to other than merchants or dealers or those regularly engaged in mercantile business, and all person who keep a regular place of business, open at all times in regular business hours and at the same place, but who, elsewhere than at such regular place of business, personally or through their agents, offer for sale, or sell, and at the time of such offeringfor sale, deliver goods, wares, and merchandise to other than merchants, dealers, or those regularly engaged in the mercantile business, shall pay a license tax of,

| | |
|---|---|
| Per annum, ---------- | 100.00 |

Provided, however, that theprovisions of this section shall not apply to any person, firm, or corporation who sells or offers for sale books, periodicals, printed music, ice. coal, wood for fuel, fish, beef, mutton, pork, vegetables, fruits, bread, pies, products of the dairy or farm produced in this State, or articles of their own individual manufacture made in this State, but shall apply to medicines, drugs, or articles assembled, and to persons who are non-residents of the State.

(e) EXEMPTIONS. Whenever the Board of Commissioners of Buncombe County, upon proper application exempts from the provisions of this section Confederate soldiers, disabled veterans of the Spanish-American War, disabled soldiers of the World War who have been bona fide residents of this State for twelve or more months continuously or who entered the service from this State, and the blind who have been bona fide residents of this State for twelve or more months continuously; and when so exempted, such persons presenting to the Tax Collector of the City a certified copy of such exemption by the Board of County Commissioners of Buncombe County, together with the State-wide license issued to such



person or persons, under the provisions of Section 121 of the 1941 Revenue Act, shall be exempt from payment of license tax but such exemption shall not authorize such person to sell any goods, wares, or merchandise anywhere that is restricted or prohibited within the City of Asheville, and does not authorize the use of any free show, ballyhoo, or other attraction by whatsoever name called, anywhere within the corporate limits of the City of Asheville by reason of such exemption.

GRADING, PAVING, SIDEWALK, SEWERS OR STORM DRAINS.

See "Contractors and Construction Companies".

GRAPHAPHONES, PHONOGRAPHS, OR TALKING MACHINES.

Every person, firm, or corporation selling phonographs, graphophones, victrolas, or instruments using disks or cylinder records, shall pay a license tax of,

| | |
|---|---|
| Per annum, ---------- | $ 10.00 |

GRAVEL.

See "Building Materials".

GROCERIES- RETAIL(NOT INCLUDING FRESH MEATS).

| | |
|---|---|
| Gross sales up to $5,000.00,---------- | 10.00 |
| $5,000.00 to $10,000.00,---------- | 25.00 |
| $10,000.00 to $15,000.00,---------- | 35.00 |
| $15,000.00 to $25,000.00,---------- | 45.00 |
| $25,000.00 to $35,000.00,---------- | 60.00 |
| $35,000.00 to $50,000.00,---------- | 80.00 |
| Over $50,000.00,---------- | 100.00 |

See "Chain Stores".

GUN AND LOCK SMITHS.

| | |
|---|---|
| Each, per annum,---------- | 10.00 |

GYPSIES, AND FORTUNE TELLERS.

(a) Every company of dypsies or strolling bands of persons living in wagons, tents, or otherwise, who, or any of whom, trade horses, mules, or other things of value, or receive rewards for telling or pretending to tell fortunes, shall pay a license tax for the privilege of transacting such things of $500.00. The amount of such license tax shall be recoverable out of any property belonging to any member of such company.

(b) Any person or persons other than those mentioned in subsection (a) pretending to tell and/or telling fortunes, practicing the art of palmistry, clairvoyants or other crafts of similar kind, shall pay a license tax of $100.00.

"H"

HAIR DRESSERS.

See "Dressers of Hair".

HARNESS OR SHOE REPAIRERS OR MANUFACTURERS.

| | |
|---|---|
| Each Itinerant,---------- | 250.00 |
| Each resident employing no workmen,---------- | 5.00 |
| Each resident employing one workman,---------- | 7.50 |
| Each resident employing two workmen,---------- | 10.00 |
| Each resident employing three workmen,---------- | 15.00 |
| Each resident employing four workmen,---------- | 20.00 |
| Each resident employing five or more workmen | 30.00 |

HAT CLEANERS OR DYERS.

See "Cleaners and Dyers of Hats".

HEALING- PROFESSIONAL ART.

Exempt by State Statutes.

HIDE DEALERS.

| | |
|---|---|
| Each, per annum,---------- | 100.00 |

HORSESHOE OR BLACKSMITH SHOP.

See "Blacksmith Shop".

HORSES, MULES AND PONIES - DEALERS IN.

Every person, firm, or corporation engaged in the business of buying and selling horses and/or mules, and/or ponies, shall pay a license tax of, cash,

| | |
|---|---|
| Per annum, ---------- | 25.00 |

(c) Itinerants shall pay a license tax of,

Per annum, ---------- $100.00

This tax shall be a privilege for buying and/or selling one carload, and for each additional carload an additional tax of,

Per car purchased, ---------- 20.00

HOSPITAL SUPPLIES- DEALERS IN.

Every person, firm, or corporation engaged in the business of selling or distributing hospital supplies, shall pay a license tax of,

Per annum, ---------- 50.00

Provided, however, the tax shall not be collected from persons, firms, or corporations operating a drug store.

HOTELS AND BOARDING HOUSES.

Every person, firm, or corporaion engaged in the operation of any hotel or boarding house shall pay the following tax, per annum:

(a) American Plan. For hotels or boarding houses operating on the American Plan, for rooms in which rates per day are:

| | |
|---|---|
| $1,00 and less than $2.00, | .12½ |
| $2.00 and less than $3.00, | .25 |
| $3.00 and less than $4.50, | .50 |
| $4.50 and less than $6.00, | 1.25 |
| $6.00 and less than $7.50, | 1.50 |
| $7.50 and less than $15.00, | 3.00 |
| Over $15,00, | 4.50 |

(b) European Plan. For hotels or boarding houses operating on the European Plan, for rooms in which rates per day are:

| | |
|---|---|
| $1.00 and less than $2.00, | .25 |
| $2.00 and less than $3.00, | .75 |
| $3.00 and less than $4.50, | 1.50 |
| $4.50 and less than $6.00, | 2.00 |
| $6.00 and less than $7.50, | 2.50 |
| $7.50 and less than $10.00, | 3.00 |
| Over $10.00, | 3.50 |

Provided, however, the office, dining room, kitchen, and two other rooms shall not be counted when calculating the number of rooms in the hotel.

The tax provided for in this section shall apply whether the charges are made at daily, weekly, or monthly rates, but shall not apply to boarding houses charging less than $12.00 per week.

HOTEL AND RESTAURANT EQUIPMENT-DEALERS IN.

Every person, firm, or corporation engaged in the business of selling or distributing equipment for hotels or restaurants, whether for the culinery or other departments, shall pay a license tax of,

Per annum, ---------- 100.00

HOUSE MOVING.

See Regulations, Section [illegible], ---------- 25.00

HYPNOTISTS.

Prohibited.

"I"

ICE CREAM - ITINERANTS SELLING.

See "Balloons".
NOT PRORATED.

ICE CREAM-RETAIL MANUFACTURERS OR WHOLESALE DEALERS,

(a) Each retail dealer, per annum, ---------- 10.00

Provided, that a retail tax shall not be collected from restaurants or drug stores who have paid the prescribed tax.



(b) Each manufacturer or wholesale dealer in [illegible],

Per annum, ---------- [illegible]

Every person, firm, or corporation engaged in the business of manufacturing or distributing ice cream at wholesale, shall apply for and obtain from the Director of Finance, for each place of business where manufactured and [illegible], a license tax of, per annum, ---------- 15.00 and an addition tax of one-eighth (1/8) of [illegible] cent for each gallon manufactured and/or distributed. Reports shall be made to the Director of Finance in such form as he may prescribe within the first ten days of each month, covering all such business for the previous month, and the additional tax due in [illegible] shall be paid monthly at the time such reports are made. For the purpose of this section, the term "ice cream" shall apply to ice creams, frozen custards, sherbets, water ices and similar frozen products.

(c) Ice cream peddlers outside of fire limits shall pay [illegible] license tax of

Per annum, ---------- 10.00

License issued subject to approval and supervision of the Health Officer, to the party making application can be granted a license, it will be necessary to [illegible] statement from the Health Officer that the proposed method of handling [illegible] is approved by him.

ICE DELIVERY SERVICE.

Per vehicle, ---------- [illegible]

ICE MANUFACTURERS OR DEALERS.

(a) Each manufacturing establishment shall pay a license tax of

Per annum, ---------- [illegible]

(b) On each retail depot a license tax shall be paid of,

Per annum, ---------- [illegible]

(c) Peddlers. On each person, firm, or corporation selling in the City of Asheville, a license tax shall be paid of,

| | |
|---|---|
| On each one ton truck or less, | 75.00 |
| On each truck over one-ton, | 100.00 |
| On each two-horse wagon, | [illegible] |
| On each one-horse wagon, | [illegible] |

NOT PRORATED.

INSURANCE AGENTS.

Exempt by State Statutes.

INSURANCE - FIRE COMPANIES.

Exempt by State Statutes.

INSURANCE- FIRE ADJUSTERS.

Exempt by State Statutes.

INSURANCE- FRATERNAL ORDERS.

Exempt by State Statutes.

INTERIOR DECORATING AND WALL PAPER HANGING.

Every person engaged in the business of paper hanging or engaged in the business of interior decorating shall pay a license tax as follows:

| | |
|---|---|
| Wall paper hanging, per annum, | 25.00 |
| Interior Decorating, per annum, | 10.00 |

Interior decorating does not include painting or wall paper hanging.

"J"

JEWELRY.

Every person, firm, or corporation operating a jewelry store or shop, shall pay license tax of,.

Per annum, ---------- 25.00

JEWELRY STANDS.

Every person, firm, or corporation making key rings, tags, etc., in any place other than a building occupied for such purpose, shall pay a license tax of,

Per day, ---------- 10.00
NOT PRORATED.

Provided, that no person shall be allowed to make jewelry, key rings, tags, and trinkets upon public property or on the streets, sidewalks, or alleyway of the City.

JEWELRY SHOPS, (OR WATCHMAKERS).

Every person, firm, or corporation operating a jewelry or watch repair shop, shall pay a license tax of,

| | |
|---|---|
| Per annum (one man show),---------- | $ 15.00 |
| For each additional man employed,-------- | 5.00 |

Provided, that where a jewelry shop or store pays a jewelry tax, no tax shall be collected hereunder.

JUNK DEALERS.

Every person, firm, or corporation buying junk, shall pay a license tax of, on each place of business,

| | |
|---|---|
| Per annum,---------- | 250.00 |
| Each wagon or truck collecting junk, per annum,---------- | 50.00 |

Any person, firm, or corporation desiring a license hereunder must first make application in person to the City Manager and will be required to furnish a justified bond in the sum of $1,000.00 conditioned according to the city ordinance applicable thereto.

"K"

KENNELS- DOG

| | |
|---|---|
| Per annum,---------- | 100.00 |

The keeping of three or more dogs on the same premises shall constitute the keeping of a dog kennel.

KNIFE OR KNIFE BLADE.

See "Cane Blades".

KNIVES.

See "Bowie Knives".

KNUCKLES- BRASS

See "Bowie Knives".

KODAKS.

Every person, firm, or corporation selling or renting cameras or kodaks, shall pay a license tax of,.

| | |
|---|---|
| Per annum,---------- | 50.00 |

"L"

LABOR AGENTS - EMIGRATION.

(a) Every perosn, firm, or corporation, either as agent or principal, engaged in soliciting, hiring, and/or contracting with laborers, male or female, in this State for employment out of the State, shall pay a license tax of,

| | |
|---|---|
| Per annum,---------- | 500.00 |

(b) Every person, firm, or corporation who or which engages in the business of securing employment for a person or persons and charging therefor a fee, commission, or other compensation, shall pay a license tax of,

| | |
|---|---|
| Per annum,---------- | 500.00 |

Provided, however, that this section shall not apply to any employment agency operated by the Federal Government, the State, or any county or municipality whose sole business is procuring employees for work in the harvesting of farm crops within the State of North Carolina.

LANDSCAPE GARDENER OR CONTRACTOR.

| | |
|---|---|
| Annual gross business not over $5,000.00,-------- | 25.00 |
| $5,000.00 to $25,000.00,---------- | 50.00 |
| Over $25,000.00,---------- | 75.00 |



LAUNDRIES.

Every person, firm, or corporation engaged in the business of operating [illegible] laundry, including wet and/or damp wash laundries, rhinestone, [illegible], is used, shall pay a license tax of,

| | |
|---|---|
| Per annum, ---------- | $ 50.00 |
| Hand Laundries,---------- | [illegible] |

Provided, however, that this section shall not apply to [illegible].

LAUNDRY AGENCIES.

Each, per annum,----------

LAWYERS.

Exempt by State Statute.

LEASING OR SELLING FILMS.

Exempt by State Statute.

LECTURERS - PROFESSIONAL.

Each lecture where admission is charged, except when solely for charitable, religious or educational purposes, ---------- [illegible]

LEMONADE- ITINERANT.

See "Balloons".

LEMONADE STANDS.

On public occasions, same as "Soft Drink Stands".

LIFTING MACHINES, BLOWING MACHINES.

Each, per day,----------

LIGHTNING ROD AGENTS.

Each lightning rod dealer having a general office or selling from [illegible] shall pay a license tax of,

Per annum,---------- [illegible]

On each manufacturer or dealer, whether person, firm, or corporation, selling or offering for sale any brand of lightning rod not having a general office or selling from receiving point,---------- [illegible]

LINEN SERVICE.

Every person, firm, or corporation renting or supplying towels or other linen for rental or on a fee basis shall pay a license tax of,

Per annum,---------- [illegible]

LIVERY STABLES.

On every person, firm, or corporation who keeps horses or mules to hire or let, with or without vehicles, or run a hitch and feed stable, a license tax shall be [illegible] of,

Per annum,---------- [illegible]

LUBRICANTS, OIL, ETC.- DEALERS IN.

See "Oils and Gasoline".

LUGGAGE

(a) Each and every person, firm, or corporation where twenty-five [illegible] percent of the gross sales or stock of merchandise carried is luggage, shall pay a license tax of,

Per annum, ---------- [illegible]

(b) Each and every person, firm, or corporation selling luggage and where twenty-five (25%) percent of the sales or stock of merchandise does not consist of luggage, shall pay a license tax of,

Per annum,---------- 5.00

LUMBER- BROKERS ONLY.

Each, per annum,---------- 25.00

LUMBER DEALERS.

See "Building Materials".

LUNCHES- DRUG STORES.

See "Drug Stores", aldso "Restaurants".

LUNCH ROOMS AND RESTAURANTS.

See "Restaurants".

LUNCHES- ITINERANTS SELLING.

See "Balloons".

Lyceum Bureaus and Chatauqua Bureaus.

Each, per annum, ---------- $25.00

"M"

MACHINE SHOPS,

Each, per annum, ---------- 50.00

MACHINE, SLOT - OR SLOT LOCKS.

(a) Every person, firm, or corporation engaged in operatint within the City of Asheville any slot machine wherein is kept any article to be purchased by depositing any coin or thing of value, or for which may be had any article of merchandise, or any machiner wherein may be seen any picture or heard any music by depositing therein any coin or thing of value, or any slot weighing machine, or any machine for making stencils by the use of contrivances operated by depositing in the machine any coin or thing of value; or any lock operated by slot wherein money of thing of value is to be deposited, shall pay for each machine or lock the following license tax, per annum:

Any such machine that requires a deposit of not more than one cent ---------- 2.50

Any such machine that requires a deposit of more than one cent and not more than five cents 5.00

Any such machine that requires a deposit of more than five cents and not more than ten cents 10.00

Any such machine that requires a deposit of more than ten cents and not more than twenty cents 20.00

Any such machine that requires a deposit of more than twenty cents, ---------- 30.00
NOT PRORATED.

PROHIBITED, however, that this section shall not apply to machines owned and operated any any retail merchant in his own place of business for delivering merchandise of the market value of the coin deposited; nor shall it apply to slot machines from which drinking cups are delivered at not more than one cent per cup.

PROHIBITED, further, that no slot machine or slot lock shall be operated until the license tax is paid thereon and the Tax Collector is hereby authorized to presume that the operation of such machine or apparatus is lawful and when the municipal license has been issued for the operation thereof, the sum paid for such municipal license shall not be refunded, notwithstanding that the operation of such machine or apparatus shall afterwards be prohibited.

The operatoror owner of each and every slot machine or slot lock shall keep posted in a conspicuous place on the front of such machine, or in a conspicuous place near such machine or slot lock the tax receipt issued for such machine or slot lock.

MAKERS OF BONDS.

See "Bond Makers".

MANIKINISTS.

Resident, per annum, ---------- 10.00
Itinerant, per annum, ---------- 50.00

MANUFACTURERS - MISCELLANEOUS.

Every person engaged in the business of manufacturing any product not taxed under this Schedule shall pay a license tax of,

Per annum, ---------- 50.00

MASSAGE ESTABLISHMENTS.

Each, per annum, ---------- 50.00
Itinerant, per day,---------- 5.00



MATCHES, WRESTLING.

See "Wrestling and Boxing".

MATTRESS FACTORIES OR RENOVATORS.

Each, per annum, ---------- $[illegible]

MEATS.

(a) Every person, firm, or corporation engaged in the operation of a meat market shall pay the tax in accordance with the classification hereinafter set fo th.

CLASS A.
Meat markets selling 500 pounds or less of fresh meats per wee, each per annum, ---------- [illegible]

CLASS B.
Meat markets selling 500 pounds of fresh meats per week each, per annum, ---------- [illegible]

Provided, that such license tax shall be paid for each meat market operated within the corporate limits of the city of Asheville.

(b) Every person, firm, or corporation engaged in the wholesale distribution of fresh or cured meats, ---------- [illegible]

(c) Every person, firm, or corporation storing, jobbing, or selling meats of any kind from warehouses within the city limits,---------- [illegible]

Provided, that the provisions of this Section shall not apply to persons, firms, or corporations who have paid the tax provided on packing houses.

NOTE: Meat not having been salted longer than 10 days shall be considered fresh meat, and the license shall be collected as itemized on wholesale and retail fresh meats. PROVIDED, that from and after the passage of this ordinance it shall be unlawful for any person, firm, or corporation to operate a meat market without first obtaining a meat market permit from the Health Officer and it must be in force during period of operation and a copy of the same must be conspicuously posted at all times within the said market so as to be plainly visible to all customers who may patronize such market.

PROVIDED, further, that the Director of Finance may at any time on affidavit from the operator of any meat market as to the amount of meat sales he has made in any week during the tax year, and if during any week of the tax year a meat market in Class "A" or "B" and shall be liable for tax in accordance with Class "C" Schedule.

MEAT DISTRIBUTORS.

Every person, firm, or corporation distributing and delivering meats (except), shall pay a license tax of,

Per annum, ---------- [illegible]

Provided, the provisions of this section shall not apply to persons, firms, or corporations, paying packing house license.

MEDICINE SELLERS OR VENDORS.

See "Goods, Wares, and Merchandise".

Free shows in connection with the selling of medicines or other merchandise in other than licensed theatres or moving picture shows, prohibited within the corporate limits of the City of Asheville.

MENAGERIES.

See "Circuses".

MERCHANDISE -BANKRUPT OR FIRE STOCK.

(a) Every salesman or merchant who shall expose for sale either on the street or in any house any goods, wares, or merchandise bankrupt or fire stock, not being a regular merchant in the City of Asheville, shall apply for in advance, and procure a special license tax receipt for the privilege of transacting such business and shall pay a license tax of,

Per week, ---------- 100.00
NOT PRORATED.

(b) Every salesman or merchant not taxed under the provisions of subsection (a) hereof, who shall expose for sale either on the street or in a house any bankrupt or fire stock of merchandise shall apply for in advance, and procure a special license tax receipt for the privilege of transacting such business and shall pay,

Per annum, ---------- 75.00
NOTPRORATED.

MERCHANTS- ITINERANT.

Itinerant or salesman selling as proprietor or agent in any lot or in a storeroom, goods, wares, or merchandise, on which an itinerant or other tax is not herein specifically imposed, shall pay a license tax of,

Per day, ---------- $100.00
Per week,---------- 300.00
NOT PRORATED.

Provided, that all such sales on any street, square, alley, or other municipal property is expressly prohibited.

Itinerant merchants, dealers or proprietors, or agents selling bankrupt or fire sales or any kind of goods, wares, or merchandise, shall pay a license tax of,

Per week,---------- 100.00

Provided, however, that no tax shall be collected from trustees or officers of a Bankrupcy Court making sales under Order of Court.

MERCHANTS - PEDDLING.

See "Goods, Wares, and Merchandise".

MERCHANTS- TAILORS.

Employing two helpers or less, per annum, ---------- 10.00
Employing over two helpers, per annum,---------- 25.00

MERCHANTS AND STOCK BROKERS.

See "Brokers".

MERRY-GO-ROUND OR FLYING JENNY.

See "Riding Devices".

METAL WORKING ESTABLISHMENTS OR TIN SHOPS.

See "Establishments -Sheet Metal".

METALLIC, BRASS, OR IRON KNUCKLES.

See "Bowie Knives".

METALLIC CARTRIDGES.

See "Cartridges - Metallic".

MILK PASTEURIZING AND CREAMERIES.

See "Creameries and Dairies".

MILL SUPPLIES.

Every person, firm, or corporation selling or distributing mill or factory supplies shall pay a license tax of,

Per annum, ---------- 100.00

MILLINERY MERCHANTS.

Every person, firm, or corporation selling millinery shall pay a license tax of,

Per annum, ---------- 10.00

MINSTREL SHOWS.

See "Pictures".

MONUMENTS OR TOMBSTONES-DEALERS IN.

Every person, firm, or corporation engaged in the business of erecting, manufacturing, jobbing, selling, or offering for sale monuments, marble tablets, grave stones, or articles of like kind, shall pay a license tax of.

Per annum, ---------- 80.00

MOP OR BROOM FACTORIES.

Every person, firm, or corporation manufacturing or asembling mops or brooms, shall pay a license tax of,

Per annum, ---------- 25.00



MOTORCYCLE DEALERS.

See "Automobiles, Motorcycles, Motor Vehicle Dealers In"., [illegible].

MOTOR VEHICLES FOR HIRE.- (a).

1. Every person, firm, or corporation, their lessees, trustees, or receivers, engaged in the business of keeping automobiles or other motor vehicles for hire and operating the same in the transportation of persons over the public highways for compensation, not being subject to the tax imposed by subsection one of Section 165 of the 1929 Revenue Act to apply for and obtain the City Manager license and "For Hire" tag for the privilege of operating in the City of Asheville shall pay for such license the following tax per annum:

For each passenger motor-propelled vehicle, per seat or space, ---------- $ 1.45

Or, where any passenger motor-propelled vehicle operating on a definite route [illegible] where seventy-five (75%) per cent of the line of travel is within the corporate limits of the City of Asheville, twenty-nine (29) per cent [illegible]

2. Every person, firm, or corporation, their lessees, trustees, or receivers, engaged in the business of keeping automobiles or other motor vehicles, trucks, tractors, trailers for rent, lease and/or hire, or operating motor vehicles, trucks, and/or tractors on call, [illegible] otherwise for the transportation of property over the public highways for compensation, shall pay the following tax, per annum:

For each such motor-propelled vehicle, truck, tractor, trailer, or semi-trailer, of a rated carrying capacity of less than three (3) tons, at the rate of $1.87 per ton.

For each motor-propelled vehicle, truck, tractor, trailer, or semi-trailer, of a rated carrying capacity of three (3) tons and over, at the rate of $7.89 per ton.

3. Every person, firm, or corporation, their lessees, trustees, or receivers, engaged in the business of operating automobiles or other motor vehicles, trucks, tractors, or semi-trailers, for the transportation of property over the public highways of the State for compensation, between termini for a distance of greater than fifty (50) miles, upon call or prearrangement, contract, lease, or otherwise [illegible], shall pay the following tax, per annum, as follows:

For each such motor-propelled vehicle, truck, tractor, trailer, or semi-trailer of a rated carrying capacity of less than three (3) tons, at the rate of $1.87 per ton.

For such motor-propelled vehicle, truck, tractor, trailer, or semi-trailer of a rated carrying capacity of three (3) tons or over, at the rate of $1.89 per ton.

The tonnage of each motor-propelled vehicle, truck, tractor, trailer, or semi-trailer, shall be determined by the manufacturer's rated carrying capacity as fixed by the manufacturer, then the tonnage shall be determined by the Commissioner of Revenue or his duly authorized deputy.

NOTE: If such person, firm, or corporation who owns and has not [illegible] tax in Buncombe County, and has not resided continuously in the County of Buncombe at least twelve (12) months prior to application, the annual tax shall be, per car, per annum, $19.16

The latter tax not prorated.

NOTE: Any person, firm, or corporation desiring license under this [illegible] application in person to the City Manager and satisfy said Manager that the Chauffeur or driver of each public service automobile has complied with the provisions of the Ordinance regulating chauffeurs or driver of public service automobiles, and file [illegible] recommendations, and certificates provided for in said ordinance.

4. U-DRIVE-IT PASSENGER CARS AND TRUCKS. Every person, firm, or corporation, their lessees, trustees, or receivers, engaged in the business of keeping automobiles, other motor vehicles, trucks, tractors, trailers, semi-trailers, or motorcycles, for hire or lease to others for what is termed "U-Drive-It" or "Drive-It-Yourself" purposes, for the transportation of persons and/or property over the public highways, shall pay for each such automobile, other motor vehicle, truck, tractor, trailer, semi-trailer, or motorcycle, the following tax, per annum:

Each motor-propelled passenger vehicle of
(a) Less than five-passenger capacity, ---------- 1.45
Five-passenger capacity or more, ---------- 2.91
(b) Each motor propelled vehicle, truck, tractor, trailer, or semi-trailer used for transporting property, at the rate of $2.18 per ton for the rated capacity for such vehicles with carrying capacity of less than three (3) tons; $2.89 per ton for the rated capacity for such vehicles with a carrying capacity of three (3) tons or more.

The tonnage to be determined by the manufacturer's rated carrying capacity for each vehicle.

5. DRAYS, TRUCKS, MOVING VANS, TRANSFER COMPANIES, ETC. On each automobile, truck used as a dray or in the moving or transfer business, or baggage hauling, shall be paid a license tax of, per annum:

| | |
|---|---|
| One ton or under,---------- | $ 11.66 |
| One to two tons,---------- | 17.50 |
| Two tons to three tons,---------- | 23.33 |
| More than three tons,---------- | 26.25 |
| On each"one-horse" Wagon, a license tax of | 2.33 |
| On each "two-horse" wagon, a license tax of, | 4.66 |

PROVIDED, that the license tax under this Schedule shall run from June 1, 1931 until December 31, 1931, as provided in the 1931 Revenue Act under Section 165, and the following shall be a tax on Motor Vehicles for Hire, not to take effect until January 1, 1932 and ending December 31, 1932, as required under Section 165 of the 1931 Revenue Act:

MOTOR VEHICLES FOR HIRE- (b)

1. PASSENGER MOTOR VEHICLES. Every person, firm, or corporation, their lessees, trustees or receivers, engaged in the business of keeping passenger automobiles or other passenger motor vehicles for hire and/or transportation of persons for compensation, shall first apply for and obtain from the City Manager a "For Hire" license tag for the privilege of engaging in such business, and shall pay for such license the following tax, per annum:

| | |
|---|---|
| For each vehicle up to and including 7-passenger, | 15.00 |
| For each vehicle over 7-passenger,---------- | 20.00 |

Provided, that this rate shall also apply to passenger motor vehicles operating under schedule where seventy-five (75%) percent of the schedule operation is within the corporate limits of the City of Asheville. Where the corporate limits of one or more municipalities join, it shall be treated as one, for the purpose of administering this Section.

2. U-DRIVE IT PASSENGER CARS AND MOTORCYCLES. Every person, firm, or corporation, their lessees, trustees, or receivers, engaged in the business of keeping automobiles, other vehicles, or motorcycles, for rent or lease to others, for what is termed "U-Drive-It" or"Drive-it-Yourself" purposes, for the transportation of persons, shall apply for and obtain from the City Manager, a "For Hire" license tag for each vehicle or motorcycle, and shall pay for each such license, the following tax per annum:

Motorcycles:

| | |
|---|---|
| One-passenger capacity,-------- | 12.00 |
| Two-passenger capacity,-------- | 15.00 |
| Three-passenger capacity,-------- | 18.00 |

Automobiles:

| | |
|---|---|
| For each vehicle up to and including 7-passenger | 15.00 |
| For each vehicle over 7-pass. | 20.00 |

3. SIGHT-SEEING AND EXCURSION PASSENGER CARS. Every person, firm, or corporation, their lessees, trustees, or receivers, engaging in the business of keeping automobiles for the purpose of transporting persons on sight-seeing or travel tours, shall apply for and procure from the City Manager, a "For Hire" license tag for the privilege of engaging in such business and shall pay for such license, the following tax per annum:

| | |
|---|---|
| On each vehicle up to and including 7-passenger-- | 15.00 |
| On each vehicle over 7-passenger,---------- | 20.00 |

4. SHORT-HAUL TRUCKS. Every person, firm, or corporation, their lessees, trustees, or receivers, engaged in the business of keeping property-carrying automobiles or other property-carrying motor vehicles, trucks, tractors, trailers, or semi-trailers for rent, lease, and/or hire, or operating motor vehicles, trucks, and/or tractors, on call, prearrangement, contract, lease, or other agreement, or otherwise, for the transportation of property for compensation within a seventy-five (75) mile radius or residence, shall apply for and obtain from the City Manager a "For Hire" license tag for the privilege of engaging in such business, and shall pay for such license, the following tax per annum:

| | |
|---|---|
| For each vehicle, per annum,---------- | 20.00 |
| For each such motor-propelled vehicle, truck tractor, trailer or semi-trailer, per annu,---- | 20.00 |

5. LONG-HAUL TRUCKS. Every person, firm, or corporation, their lessees, trustees, or receivers, engaged in the business of operating automobiles or other motor vehicles, trucks, tractors, trailers, or semi-trailers, for the inter-county transportation of property over the public highways of this state for compensation, or upon the call, prearrangement, contract, rent, lease, or other arrangement, shall apply for and procure from the City Manager, a "For Hire" license tag for the privilege of engaging in such business and shall pay for such license the following tax:

| | |
|---|---|
| For each vehicle, per annum,---------- | 20.00 |



PROVIDED, that this Section, under "Motor Vehicles for Hire (b)", shall become effective January 1, 1932, and Section 165 of the Revenue Act of 1931, shall remain in force and effect until December 31, 1931, and the tax imposed in the Revenue Act of 1929 shall be collectable on and after June 1, 1931 on a basis of seven-twelfths (7/12) of the amount imposed therein.

MOVING, DEMOLISHING, OR WRECKING HOUSES OR OTHER STRUCTURES.

Every person, firm, or corporation engaged in the business of moving, demolishing, wrecking houses or other structures, shall pay a license tax of,

Per annum,---------- ($ 10.00)

MOVING PICTURE OR VAUDEVILLE SHOWS.

On each room, hall, tent, or all-dome used as a moving picture or vaudeville show, an annual license tax as follows shall be paid:

| | |
|---|---|
| On each place having a seating capacity of less than 500.---------- | $ 10.00 |
| On each place having a seating capacity of 500 and less than 1,000.---------- | 25.00 |
| On each place having a seating capacity over 1,000.---------- | 50.00 |

PROVIDED, any moving picture show operating more than two (2) miles from the center of the City of Asheville (for the purpose of this provision the term "business center" being defined as the intersection of the two principal business streets of the City of Asheville), the territory in which such moving picture show is located having been annexed to such City subsequent to January 1, 1931, the license tax shall be

Per annum,---------- $ 5.00

MOVING VANS, DRAYS, TRANSFER COMPANIES.

See "Motor Vehicles for Hire".

MULTIGRAPHS, MIMEOGRAPHS - DEALERS IN.

Every person, firm, or corporation selling or distributing multigraphs or mimeographs machine shall pay a license tax of,

Per annum,---------- $ 10.00

MULTIGRAPH SHOPS.

Every person, firm, or corporation multigraphing or mimeographing letters or other documents for compensation shall pay a license tax of,

Per annum,---------- $ 10.00

MUSEUMS.

Each, per week,---------- $ 5.00

"N"

NEWS DEALERS ON TRAINS.

Exempt by State Statutes.

NEWSPAPERS.

| | |
|---|---|
| On each daily published in the City, per annum,---------- | $ 100.00 |
| On each weekly published in the City, per annum,---------- | 25.00 |
| On each monthly published in the City, per annum,---------- | 10.00 |

NEWSPAPER CONTESTS.

Exempt by State Statutes.

NEWS STANDS.

Per annum,---------- $ 5.00

NEWS STANDS ON STREETS OR SIDEWALKS.

Prohibited.

NEWSPAPER OR MAGAZINE DISTRIBUTORS.

Per annum,---------- $ 25.00

NOVELTIES.

Every person, firm, or corporation selling novelties and/or brick-a-brac shall pay a license tax of,

Per annum,---------- $ 15.00

NURSERIES.

Every person, firm, or corporation operating a nursery or selling or displaying for the purpose of advertisement or sale nursery products shall pay a license tax of,

Per annum,---------- 25.00

"O"

OCULISTS.

Exempt by State Statute.

OFFICE EQUIPMENT.

Every person, firm, or corporation engaged in the business of selling office equipment or supplies, shall pay a license tax of,

Per annum,---------- 25.00

OIL BURNERS-DEALERS IN.

Every person, firm, or corporation selling or distributing oil burners or oil furnaces shall pay a license tax of,

Per annum,---------- 100.00
(Excepting plumbing and heating contractors)

OILS AND GASOLINE.

Every person, firm, or corporation engaged in the business of selling illuminating or lubricating oils or greases, or benzine, naptha, gasoline, or other products of like kind from an agency, station, or warehouse, for the distribution or sale of the aforementioned commodities as defined in Section 137 of the Revenue Act of 1931, shall pay a license tax of,

Per annum,---------- 50.00

OPERAS.

See "Chautauquas."

OPTICAL SUPPLIES.

Every person, firm, or corporation selling optical goods/supplies at wholesale, or shall pay a license tax of,

Per annum,---------- 150.00
At retail, per annum,---------- 50.00

Provided, however, that the foregoing tax shall not be collected from duly licensed practicing physicians, optometrists, or oculists.

OPTICIANS.

Exempt by State Statutes.

OPTOMETRISTS.

Exempt by State Statutes.

ORDERS-FRATERNAL.

Exempt by State Statutes.

ORGANS, PIANOS, AND PHONOGRAPHS.

Every person, firm, or corporation engaged in the business of selling, offering or ordering for sale any of the articles hereinafter enumerated, shall pay for the privilege of conducting such business a special license tax, per annum, as follows:

(a) Pianos and/or organs,---------- 25.00
(b) Graphophones and/or victrolas, or other instruments using disc or cylinder records 25.00
(c) Graphophones and/or victrola records or player-piano rolls only and not other articles enumerated in this section,---- 25.00
(d) Radio instruments and/or radio instrument accessories,---------- 50.00



ORGAN AND PIANO TUNERS OR REPAIRERS.

Organ or piano tuners or repairers, per annum,
Itinerant, per annum,

ORIENTAL GOODS OR ANTIQUE FURNITURE.

See "Antique Furniture".

OSTEOPATHS.

Exempt by State Statutes.

OYSTER AND FISH DEALERS.

Each, per annum,

"P"

PACKING HOUSES.

Every person, firm, or corporation engaged in [illegible], every wholesale dealer in meat, packing house products who sells, [illegible] operates a cold storage warehouse in connection with such [illegible] each such packing house or cold storage warehouse license tax of,

Per annum,

PAINTING CONTRACTORS.

Painting contractors, resident, employing no workmen, each
Per annum,

Painting contractors, resident, employing one workman,
each Per annum,

Painting contractors, resident, employing two workmen
each, Per annum,

Painting contractors, resident, employing three workmen
each, Per annum,

Painting contractors, resident, employing four workmen,
each, Per annum,

Painting contractors, resident, employing five workmen,
each, Per annum,

Painting contractors, resident, employing six to [illegible],
each, Per annum,

Painting contractors, [illegible], & tax equal to three times the tax [illegible] contractors.

PAINT DEALERS.

Every person, firm, or corporation selling or distributing paint, [illegible], or paint products, shall pay a license tax of,

Per annum,

PAPER OR PAPER PRODUCTS.

Each and every person, firm, or corporation engaged in the sale or distribution of paper or paper products where twenty (20%) percent or more of their business in the sale or distribution of paper, shall pay a license tax of,

Per annum,

PARKING PLACES.

On each and every lot used for a public parking place, shall be [illegible],

Per annum,

PASTEURIZERS OF MILK.

Each establishment shall pay a license tax of,

Per annum,

The foregoing tax is not collectable where creamery tax is paid.

PATENT RIGHTS AN. FO.MUL.. DEALERS IN.

On every person, firm, or corporation offering for sale any patent or formula, shall be paid a license tax of.

Per annum,- ---------- 10.00

PAVING, SEALING, SIDEWALKS, SEWERS, OR STORM SEWERS.

See "Contractors".

PAWN BROKERS

See "Brokers-Pawn".

PEANUT AND POPCORN ROASTERS

Every person engaged in the business of operating any peanut or popcorn roaster or stand shall pay a license tax of.

Per annum,---- ---------- 25.00

Provided, that when a peanut or popcorn roaster or stand is operated in connection w some other business and a license tax for doing such other business is an amount not than $25.00 is paid, the license tax shall only be,

Per annum,------ ---------- 5.00

PEDDLING OF BOOKS.

See "Book Agents".

PEDDLERS - GENERAL

See "Goods, Wares, and Merchandise".

PEDDLERS OR VENDORS OF MEDICINE.

See "Goods, Wares, and Merchandise".

PEDDLING

See "Goods, Wares, and Merchandise", also "Farm Products".

PEDDLING OF FISH.

Prohibited by Ordinance.

PENNY ARCADES OR PARLORS.

See "Arcades".

PEPSI-COLA BOTTLING WORKS.

See "Bottling Works".

PERFUMES, COMPACTS, LIP STICKS, OR OTHER TOILET ARTICLES.

Every person, firm, or corporation selling perfume, cologne, toilet water, or bath salts, shall pay a license tax of

Per annum,---------- 5.00

PET SHOPS.

Every person, firm, or corporation operating a shop usually known as a "pet shop" or place of business where pets such as dogs, monkeys, cats, birds, fish, white mice, other pets by whatsoever name called, are sold, shall pay a license tax of,

Per annum,---------- 50.00

PHONOGRAPHS, GRAGHOPHONES, OR TALKING MACHINES.

See "Organs".

PHOTOSTAT DEALERS.

Every person, firm or corporation kaing photostatic reproductions, or engaged in the business of making photostatic copies for sale, shall pay a license tax of,

Per annum,---------- 25.00

PHRENOLOGISTS.

Per annum,---------- 500.00

Provided that each phrenologists has paid the State tax under Section 116 of the Revenue Act.



PHYSICIANS.

Exempt by State Statutes.

PIANOS OR ORGAN REPAIRERS OR TUNERS.

See "Organ Repairers or Tuners".

PICTURE MACHINES- ADVERTISING BY THE USE OF.

See "Advertising By Use of".

PICTURE-MOVING.

See "Moving Pictures".

PICTURES- TRAVELING, MOVING, TRAVELING THEATRICAL, TRAVELING VAUDEVILLE, OR TRAVELING MINSTREL SHOWS.

Every person, firm, or corporation engaged in the business of traveling theatrical traveling moving picture, and/or traveling vaudeville company, giving exhibitions performances in any hall, tent, or other place not duly licensed, shall pay picture or vaudeville house, for the privilege of engaging in such business, a license tax of $25.00 for each day or part of a day's exhibition or performance.

Provided, that:

(a) Artists exhibiting paintings or statuary work of their own shall only pay $2.00.

(b) Such places of amusements as do not charge more than for admission at the door, including reserved seats, shall be continuously in any given place as much as one week, shall be for the first day and a total of $25.00 for the next succeeding five days thereof, and $30.00 per week or any part thereof for any

Provided, however, where such amusement company shall as provided under Section 116 of the Local Revenue Act, per week or part of a week.

Application for permit to exhibit must be of a circus, and no performances shall be given unless permit is granted.

PIPE OR CEMENT BLOCKS.

See "Cement Blocks".

PISTOLS.

Every person, firm, or corporation who is engaged in the business of keeping in stock, selling, and/or offeringfor sale any of the articles or commodities hereinafter enumerated, shall pay the following tax, per annum:

(a) For pistols and/or metallic pistol cartridges or cartridges used in pistols,----

(b) For bowie knives, dirks, daggers, sling-shots, loaded canes, iron or metallic knuckles, or articles of a like kind,----

(c) Blank-cartridge pistols,----

Provided, however, that if such person, firm, or corporation sells only in trade to retail dealers cartridges, the tax shall be, per annum,

PLACARDS IN STREET CARS.

See "Advertising With".

PLUMBING CONTRACTORS.

See "Electrical Contractors, Plumbers, Steam and Gas Fitters".

PLUMBING SUPPLIES.

Every person, firm, or corporation sellingplumbing supplies shall pay a license tax of,

Per annum, (wholesale),----

POLES, CROSS-TIES, LOGS, OR SIMILAR ARTICLES.

See "Buying and Shipping of".

PONY AND DOG SHOWS,

See "Circuses".

POOL ROOMS.

See "Billiards".

POULTRY.

Every person, firm, or corporation buying or selling poultry or farm products at wholesale shall pay a license tax of,

Per annum, ---------- $ 50.00

POWER, GAS, AND ELECTRIC LIGHT COMPANIES.

See "Electric Light Companies".

PRESSING CLUBS, DRY CLEANING PLANTS, AND HAT BLOCKERS.

Every person, firm, or corporation engaged in the business of pressing and/or dry-cleaning any articles of clothing, re-shaping, cleaning, and/or reblocking any hats, shall pay a license tax, per annum, as follows:

(a) Where not more than three persons are employed,---------- 20.00
(b) Where more than three persons are employed,---------- 40.00

PRINTED ADVERTISEMENTS, SIGN TACKING, ETC.

See "Advertising- Distributors of Samples, Printed Advertisements".

PRINTING AGENTS.

See "Agents- Not Specifically Taxed".

PRINTING ESTABLISHMENTS.

Without bindery, employing not over two workmen,
Per annum,---------- 15.00
Employing over two workmen, per annum,---------- 25.00

With bindery, per annum,---------- 50.00

PRODUCE AND FRUITS.

Every person, firm, or corporation engaged in the business of buying or selling at wholesale fruits or farm produce shall pay a license tax of,

Per annum,---------- 100.00

Provided, that only one tax shall be collected from persons handling both fruit and produce.

Provided, further, that any person, firm, or corporation who or which shall carry on business of selling or offering for sale fresh fish, fresh fruits and/or vegetables, who or which does not maintain a permanent place of business in this State, shall apply for in advance and procure from the Director of the Department of Finance of the City of Asheville a city license for each truck operated, and shall pay for such license a tax of $50.00, provided this section shall not apply to those persons, firms, or corporations selling or offering for sale fruits and/or vegetables if such fruits and/or vegetables are grown in this State or the fresh fish taken in the waters of this State. Such license taxes shall not be prorated andare not transferable.

PROFESSIONAL ART-HEALING.

Exempt by State Statutes.

PROFESSIONAL LECTURES.

See "Lectures".

PUBLIC ANNOUNCEMENTS OF ADVERTISEMENTS BY THE USE OF BRASSBANDS IN THE CONGESTED DISTRICT OF THE CITY.

See "Advertising".

PUBLIC SERVICE AUTOMOBILES.

See "Motor Vehicles for Hire".

"Q"

QUARRY-ROCK.

On each rock quarry a license tax shall be paid of,

Per annum,---------- 100.00



"R"

RACKS FOR KNIVES, OR CANES.

See "Cane Racks".

RADIO INSTRUMENTS OR RADIO INSTRUMENT ACCESSORIES.

See "Phonographs".

REAL ESTATE AGENTS, RENT COLLECTING AGENTS, REAL ESTATE LOAN BROKERS.

Every person, whether acting as an individual, as a member of a partnership, as an officer and/or agent of a corporation, who is engaged in the business of selling, offering for sale, buying or offering to buy, negotiating the purchase, sale or exchange of real estate; or who is engaged in the business of renting or offering to rent, or of collecting any rentals for the use of real estate for another; or who is engaged in the business of negotiating loans on real estate as agent for another for a commission, brokerage, or other compensation, or who is engaged in the business of soliciting applications for loans on real estate as agent for another for a commission, brokerage, or other compensation, shall pay an annual license tax of, ----------

REAL ESTATE AUCTIONEERS.

See "Auctioneers".

RELIGIOUS ENTERTAINMENTS.

See "Charitable Entertainments".

REPAIR SHOPS.

Any repair shops operating in the City of Asheville by persons, firms, or corporations where specifically licensed or taxed in this ordinance, shall pay an annual license tax as follows:

Working one workman, ----------
Working one to three workmen, ----------
Working three workmen or more, ----------

REPAIR SHOPS-CABINET.

See "Cabinet Repair Shops".

REPAIR SHOPS-CARRIAGE.

See "Carriage Repair Shops".

REPAIRING OR MANUFACTURING OF HARNESS OR SHOES.

See "Harness or Shoe Repairers".

REPAIRERS OR TUNERS OF ORGANS OR PIANOS.

See "Organ Tuners".

RESTAURANTS, LUNCH ROOMS, HOTEL DINING ROOMS OR DRUG STORES.

Every person, firm, or corporation engaged in the business of operating a restaurant, cafe, cafeteria, hotel, with dining service on the European plan, lunch room or other place where prepared food is sold, shall pay an annual license tax as follows:

(a) Such places with chairs, stools, or benches,
up to five (5) chairs,
Per annum, per chair, ----------
For over five (5) chairs,
Per annum,---------- 10.00

(b) All other stands or places where prepared food is sold at retail business, such as drug stores, service stations, and other stands or places where sandwiches only are served, shall pay an annual license tax of, 25.00

RIDING DEVICES.

Every person, firm, or corporation engaged in the operation of a bagatelle table, merry-go-round, flying jenny, ferris wheel, whip, tango swing, steeplechase, tumble-bug, hobby-horse, switchback railway, shooting gallery, skating rink, or other amusement device of a like kind, or a place for other games or play with or without name (unless used solely and exclusively for private amusement and exercise), at a permanent location, shall procure a special license for the privilege of operating such objects of amusement and shall pay for each such object enumerated the following tax per annum: $ .

ROOMS AND HALLS USED AS THEATRES.

See "Halls".

ROOTS AND HERBS.

Every person, firm, or corporation buying or selling roots, herbs, or other medicinal plants, shall pay a license tax of,

Per annum,---------- 100.00

"S"

SAMPLES AND SIGN DISTRIBUTORS, PRINTED ADVERTISEMENTS (EXCEPT POLITICAL ADVERTISEMENTS).

See "Advertising".

SAND DEALERS, AGENCIES OR SALES OFFICES.

Per truck,---------- $ 25.00

SANDWICHES AND LUNCHES -DRUG STORES.

Sandwiches - Wholesale, per annum----- 50.00
Sandwiches - Retail, per annum,------- 5.00

SCALE DEALERS.

Each dealer in, or agent for, shall pay a license tax of,

Per annum,---------- 25.00

SCREENS -WINDOW OR DOOR.

Every person, firm, or corporation manufacturing and distributing window or door screens, shall pay a license tax of,

Per annum,---------- 25.00

SECOND-HAND CLOTHING.

See "Clothing" Second-Hand".

SECOND-HAND AUTOMOBILE EQUIPMENT.

See "Automobile Equipment-Used Parts".

SECURITY DEALERS.

(a) Every person, firm, or corporation who or which is engaged in the business of dealing in securities as defined in Section 132 of the 1931 Revenue Act, or who or which maintains a place for or engages in the business of buying and/or selling shares of stock in any corporation, bonds, or any other securities on commission or brokerage shall pay forthe privilege of transacting such business a license tax of,

Per annum,---------- 50.00

(b) Provided every dealer as defined herein other than banks or trust companies shall pay a license tax for the privilege of transacting such business at each office.

(c) If every such person, firm, or corporation described in subsection (a) hereof maintains and/or operates a leased or private wire and/or ticker service in connection with such business, the annual license tax on the private wire or ticker service shall be,---------- 50.00

SEWERS, GRADING, PAVING, SIDEWALKS, OR STORM SEWERS.

See "Contractors".

SEWER PIPE

Every person, firm, or corporation selling sewer pipe shall pay a license tax,

Per annum,---------- 50.00

No tax collected hereunder where building material tax is collected or where electrical contractor, plumber, steam and gas fitter, tax is collected.
See "Electrical Contractors, Plumbers, Steam and Gas Fitters".

SEWING MACHINE AGENTS.

Exempt by State Statutes.

SHEET METAL WORKING ESTABLISHMENTS OR TIN SHOPS.

Working as many as one workman or helper, per annum,-- 100.00
Itinerants, regardless of number of workmen,---------- 300.00

SHIPPING AND BUYING TELEPHONE POLES, CROSS-TIES, LOGS, OR SIMILAR ARTICLES.

See "Buying and Shipping".

SHOE OR HARNESS MANUFACTURERS OR REPAIRERS.

See "Harness Manufacturers".



SHOE SHINE PARLORS.

Every person, firm, or corporation who or which maintains or operates [illegible] business wherein is operated a shoeshine [illegible] shall pay thefollowing tax per annum,

Where the number of chairs or operators is not more than two (2)- $ [illegible]
Where the number of chairs or operators is more than two (2) and less than six (6) [illegible]
Where the number of chairs or operators is six (6) and less than ten (10) [illegible]
Where the number of chairs or operators is ten (10) or more, [illegible]

SIDEWALK, GRADING, PAVING, SEWERS, OR STORM SEWERS.

See "Contractors".

SIGN PAINTING.

On any sign painting contractors not employing any workmen, [illegible]

Per annum,---- [illegible]

On any sign painting contractors employing
Two workmen or less, [illegible]
Two to four workmen,-- [illegible]
Four to six workmen,---- [illegible]
Six or more workmen,---------- [illegible]
Itinerant sign painters, per annum [illegible]

SIGN TACKING, PRINTED ADVERTISEMENTS, SAMPLES, DISTRIBUTORS.

See "Advertisements".

SILVER PLATING.

Every person, firm, or corporation engaged in the business of [illegible] a license tax of,

Per annum,---------- [illegible]

SKATING RINKS.

See "Riding Devices".

SLEIGHT OF HAND EXHIBITIONS.

Prohibited.

SLING SHOTS.

See "Bowie Knives".

SLOT MACHINES.

See "Machines-Slot".

SODA FOUNTAIN SUPPLIES.

Every person, firm, or corporation selling or distributing fruits, syrups, or other supplies used at a soda fountain, shall pay a license tax of,

Per annum,---- [illegible]

SODA FOUNTAINS.

See "Fountains, Soda".

SOFT DRINKS-SALE OF.

On each person, firm, or corporation selling bottled soft drinks, a license tax of, be paid of,

Per annum,------ [illegible]

SOFT DRINKS-ITINERANTS SELLING.

See "Balloons".

SOFT DRINKS

See "Drinks", also "Bottling Companies".

SPRINKLER SYSTEMS.

Dealers or Agents selling automatic sprinklers shall pay a license tax of,

Per annum,---------- 50.00

SPUNGERS-ITINERANTS SELLING.

See "Balloons".

SPICES AND FLAVORING EXTRACTS.

See "Goods, Wares, and Merchandise".

STABLES-LIVERY.

See "Livery Stables".

STANDS-BOOT BLACK STANDS.

See "Boot Black Stands, or "Shoe Shine Parlors".

STANDS-FRUIT STANDS.

See "Fruit Stands".

STANDS-FRUIT, CIGARS, CIGARETTES, AND TOBACCO.

See "Fruit Stands".

STANDS-LEMONADE STANDS-PUBLIC OCCASIONS.

See "Lemonade Stands".

STAR COURSES.

See "Chautauquas".

STATIONS-GASOLINE OR AUTO CLEANING.

See "Auto Cleaning Stations".

STEAM SHOVELS.

On each and every steam shovel operated in the City of Asheville, a license tax shall be paid of.

Per annum,---------- 25.00
NOT PRORATED.

STEAM AND GAS FITTERS.

See "Electrical Contractors, Plumbers, Etc.".

STOCK YARDS OR PENS.

Every person, firm, or corporation operating or maintaining a yard or pen where live stock is loaded, unloaded, fed, or watered, shall pay on each yard or pen,

Per annum,---------- $50.00

Provided, however, that the provisions of this tax shall not be collected from packing houses operating or maintaining a stock yard or pen who have paid the prescribed tax on packing houses.

STOCK BROKERS.

See " Brokers".

STOCK AND MERCHANDISE BROKERS.

See "Brokers".

STOKERS.

Every person, firm, or corporation installing stokers or other automatic furnaces by whatsoever name called, shall pay a license tax of,

Per annum,---------- 100.00

STORAGE OR TRANSFER WAREHOUSES.

Where a charge is made for storage service, a license tax shall be paid of,

Per annum,---------- 100.00

STORM SEWER, GRADING, PAVING, SIDEWALKS, AND SEWERS.

See "Contractors".

STOVES, RANGES- INSTALLATION.

Every person, firm, or corporation selling or offering for sale stoves, ranges, gas or other water heaters where same is connected with the water system of the City of Asheville, shall pay a license tax of,

Per annum,---------- 25.00



It shall be unlawful for any person, firm, or [illegible] to install any [illegible] stove, gas or other [illegible] of the City of Asheville, unless such installation is made by [illegible] under the provisions of the plumbing [illegible].

STREET CARS- ADVERTISING BY USE OF [illegible].

See "Advertising".

SUPPLIES FOR TYPEWRITER MACHINES.

Agents or dealers in supplies for typewriting machines [illegible] shall pay a license tax of,

Per annum,---------- $ [illegible].

SURGEONS-VETERINARY.

Exempt by State Statutes.

SWITCHBACK, RAILROADS OR ROLLER COASTERS.

See "Riding Devices".

SWING-TABLE.

Every person, firm, or corporation operating [illegible] shall pay a license tax of,

Per annum,----------

"T"

TAILORS-MERCHANT.

See "Merchants-Tailors".

TALKING MACHINES.

See "Phonographs, Graphophones, or Talking Machines".

TANNERIES.

Each, per annum,---------- [illegible].

TELEGRAPH COMPANIES.

Every person, firm, or corporation, domestic or foreign, engaged in [illegible] apparatus necessary to communication by telegraph within the [illegible] City of Asheville, shall pay a license tax of,

Per annum,---------- [illegible].

TELEPHONE ADVERTISING.

Every person, firm, or corporation selling advertising [illegible] shall pay a license tax of,

Per annum,---------- [illegible].

TENTS OR AWNINGS-MANUFACTURERS OF OR DEALERS IN.

See "Awnings".

THEATRES.

On each room or hall used as a theatre or opera house other than [illegible] where public exhibition or performances are given for profit, shall [illegible].

Per annum,---------- [illegible]
NOT PRORATED.

THEATRICAL COMPANIES, MOVING PICTURES OR TRAVELING VAUDEVILLE.

See "Traveling Moving Pictures".

THEATRICAL EXHIBITIONS.

See "Exhibitions, Entertainments, also Pictures".

TIN SHOPS OR SHEET METAL WORKING ESTABLISHMENTS.

See "Sheet Metal Working Establishments or Tin Shops".

TIRE REPAIRS.

See "Automative Service Stations".

TOBACCO, CIGARETTES, CIGARS, AND FRUITS.

See "Cigarettes".

TOILET ARTICLES-PEDDLERS OF.

See "Goods, Wares, and Merchandise".

TOMBSTONE AND MARBLE DEALERS.

See "Monuments".

TOYS

Every person, firm, or corporation selling or distributing toys, shall pay a license tax of,

Per annum,---------- $ 10.00

TRADE SHOPS

See "Printing Establishments".

TRADING STAMPS, DEVICES, ETC.

See "Devices".

TRANSFER COMPANIES.

See "Drays".

TRANSFER AND STORAGE WAREHOUSES.

See "Storage Warehouses".

TRAVELING CIRCUSES.

See "Circuses".

TRAVELING THEATRICAL OR MOVING PICTURE COMPANIES.

See "Pictures, Traveling".

TUNING OR REPAIRING ORGANS AND PIANOS.

See "Organ and Piano Tuners".

"U"

U-DRIVE-IT PASSENGER CARS AND TRUCKS.

See "Motor Vehicles for Hire".

UNDERTAKERS

See "Coffin Makers".

UMBRELLA REPAIRERS.

Every person engaged in the business of repairer of umbrellas, shall pay a license tax as follows:

If not more than one person is employed therein, per annum $5.00
If more than one person is employed therein, per annu,-- 10.00

UPHOLSTERING.

Every person, firm, or corporation engaged in the business of ipholstering or repairing furniture, shall pay a license tax of,

Per annum,---------- 15.00

Provided, this tax shall not be collected from persons, firms, or corporations paying a tax on furniture stores.

USED PARTS-AUTOMOBILE EQUIPMENT.

See "Automobile Equipment-Used Parts".

"V"

VACUUM CLEANERS.

Ever person, firm, or corporation engaged in the bsuiness of selling or distributing vacuum cleaners, shall pay a license tax of,

Per annum,---------- 50.00



VANS FOR MOVING-DRAYS, TRANSFER COMPANIES, ET .

See "Drays".

VAUDEVILLE COMPANIES- TRAVELING THEATRICAL COMPANIES, ET .

See "Moving Pictures", also "Pictures".

VEHICLES OR WAGONS-ADVERTISING WITH.

See "Advertising With".

VEHICLES-MOTOR

See "Motor Vehicles".

VETERINARY SURGEON

Exempt by State Statutes.

VICTROLAS AND GRAPHOPHONES.

See "Phonographs".

VULCANIZING.

See "Automotive Service".

"W"

WAGONS OR VEHICLES DRIVEN THROUGH THE STREETS WITH ADVERTISING SIGNS.

See "Advertising".

WALKING ABOUT STREETS DISPLAYING SIGNS.

Each and every person, firm, or corporation [illegible] and display, for the purpose of advertising, [illegible] shall pay [illegible].

Per day,----------
NOT PRORATED.

WARES, GOODS, AND MERCHANDISE-PEDDLING.

See "Goods, Wares, and Merchandise".

WASHING MACHINES.

Every person, firm, or corporation selling, distributing, or [illegible] shall pay a license tax of,

Per annum,----------

WATERMELONS-CLICED OR CUT.

On each and every person, firm, or corporation selling [illegible] cut watermelon, shall be [illegible] license tax of,

Per annum,----------
NOT PRORATED.

NOTE: The foregoing tax shall not be prorated nor shall any [illegible] restaurants or drug stores [illegible] the provisions hereof, [illegible] subject to ordinances applicable to food handling establishments.

WELDING SHOPS.

Every person, firm, or corporation who makes [illegible] by welding, shall pay a license tax of,

Per annum,----------

WIENER STANDS, HOT-STANDS, AND WIENERIES.

See "Restaurants".

WILD WEST SHOWS

See "Circuses".

WINDOW CLEANERS.

Every person, firm, or corporation engaged in the business of [illegible] floors, or general house cleaning, and employing one person or more, shall pay a license tax of,

Per annum,----------

WOOD-KINDLING, CHEMICAL.

(a) Every person, firm, or corporation selling wood for fuel purposes, shall pay a license tax of,

Per annum,---------- $ 10.00

(b) Every person, firm or corporation selling chemical kindling, shall pay a license tax of,

Per annum,---------- 50.00

WOOD YARDS.

Saw operated by power, per annum,---------- 15.00
Saw operated by hand, per annum,---------- 5.00

WOOLEN MILLS.

Every person, firm, or corporation operating a mill manufacturing woolen cloth shall pay a license tax of,

Per annum,---------- 150.00

WRESTLING AND BOXING.

Every promoter or exhibitor of any wrestling or boxing, for which an admission charge is made, shall pay a license tax of,

For each exhibition or show,---------- 10.00

"Y"

YEAST.

Every person, firm or corporation selling or distributing yeast at wholesale, shall pay a license tax of,

Per annum,---------- 150.00

MISCELLANEOUS.

ALL BUSINESSES, TRADES, PROFESSIONS, GAMES, DEVICES.

Or other undertakings prosecuted for profit or gain, not taxed herein,---------- $5.00

Per quarter,---------- 15.00

Per month,---------- 10.00

Per day,---------- 3.00

Section 17.

Any person who shall willfully make any false statements in an application for license under any section of this ordinance or schedule, shall upon conviction be liable for a penalty of fifty ($50.00) dollars.

Section 18.

That all ordinances or parts of ordinances in conflict with this ordinance are hereby repealed: provided, that such repeal shall in no way affect any rights heretofore acquired for the collection on of any tax heretofore levied or assessed, or the validity of any sales for taxes heretofore made, or any right heretofore acquired under any ordinance ofthe city.

I move the adoption of the foregoing ordinance, this the 23rd day of June, A. D. 1931

Walter C. Britt

Seconded by:
Wilbur Devendorf

APPROVED AS TO FORM:

J. G. Merrimon
CORPORATION COUNCEL.

Read, approved, and adopted, this the 23rd day of June, 1931.

Rules suspended and immediately put upon its second and third readings and adopted and declared to be an ordinance of the City of Asheville, effective according to statute, June 30, 1931

Ottis Green
MAYOR

E. G.Thompson
CLERK.

Published in Asheville Citizen newspaper, June 26, 1931.



There being no further business, the meeting, on motion, adjourned.

City Clerk.

Thursday, June 25, [illegible] P. M.

The City Council met in regular session; Mayor [illegible] presiding. Present: Councilmen, [illegible] Green absent on official business. Present: Councilmen, [illegible] Devendorf, Louis Lipinsky, Frank D. [illegible], Walter Hambright, Julian A. [illegible], H. W. Plummer and Corporation Counsel, J. G. Merrimon. [illegible] were read and approved.

[illegible]

Mr. Lipinsky declared nominations in order for Substitute Judge of the Police Court. Mr. Woodcock nominated Mr. Phillip C. Cocke Jr., nomination was seconded by Mr. [illegible] and Mr. P. C. Cocke was elected Substitute Judge of the Police Court.

[illegible]

Nominations were declared in order for Substitute Solicitor. On motion of Mr. [illegible] seconded by Mr. Britt, Mr. Edward H. McKenzie was unanimously elected Substitute Solicitor of the Police Court.

[illegible]

Mr. Don. C. Young, Attorney, appeared before the Council [illegible] opening andwidening assessments against the property of Oscar Burkett on corner of Flint and Furman Avenue.

The matter was referred to the Committee on Streets [illegible] regard to opening and widening assessments.

NORTH [illegible]
[illegible]

Attorney Young in behalf of the George Starnes Estate, [illegible] for opening and widening North Lexington Avenue.

June [illegible], 1931.

City Council of Asheville,
Asheville, N. C.

Dear Sirs:

In may 1926 the City of Asheville widened North Lexington Avenue, and in doing so damaged the property of the George Starnes Estate known and designated as lots 301 and 302, sheet 1 in the third ward, as the jury placed thereon by said city assessed damages in the sum of benefits $850.00. The damages on these lots, therefore, [illegible] benefits $850.00

At the same time lots 307, 308, and 309 [illegible] benefits $1,190.00 and no damages assessed, and lot no. 310 [illegible] benefits of $1,600.00 and no damages.

As we understand the law as held in the case of [illegible] Asheville, 193 N. C. page 144, benefits can not be [illegible] land owner but only may be off-set against damages in the same [illegible] question. On lots Nos. 307, 308 and 309 and No. 310 no damages assessed and therefore as we understand the law benefits in these benefits could not be collected, and do not, therefore, constitute a lien on the property. These benefits are now on the books of the City of Asheville and exist as a lien when the same should be [illegible] record and thus discharge the property from this lien is taken in the records.

On lots 301 and 302, the damages exceeding the benefits by $850.00, the City owes the Starnes estate this sum with interest from May 1925.

This is, therefore, to request you in the name of the Starnes estate to pay us the said sum of $850.00 and interest from said date and cancel on the records of the city of Asheville the now existing lien for benefits assessed by the jury in the widening of said street.

The records in your office on which these things exist are Minute Docket No. [illegible], page 175 and 176, and the Jury Report in Jury Report Book No. 2, indexed under Lexington Avenue.

When you have investigated this please let us know the result thereof and the disposition you care to make.

I am doing this on behalf of and in the name of the widow and children of George H. Stamey, deceased, who now own the property in an undivided condition.

Thanking you for your prompt consideration of this matter, I am

Yours very truly,

Don C. Young

On motion of Mr. Devereaux, seconded by Mr. Boyd, this matter was referred to the Corporation Counsel.

Mr. J. S. Howell, Attorney, representing the independent taxi drivers, stated there was an ordinance which discriminated against certain taxi drivers soliciting at the Passenger Station and requested that a committee be appointed to investigate the situation.

Mr. Marcus Erwin, Attorney, stated the situation gives unfair advantage to the Red Top Company, in soliciting at the Depot, and asked to have the ordinance amended so soliciting can be regulated.

Mr. Smith moved, seconded by Mr. Wambolat, that the matter be referred to the Corporation Counsel for investigation and report.

The complaint of Mr. Edward W. Wright to the tax of $100.00 on stokers in addition to the tax on plumbing contractors was referred to the Tax Committee.

A petition from property owners requesting the extension of restricted residential district defined in Ordinance #82 adopted March 30, 1928 was on motion of Mr. Woodcock, seconded by Mr. Wambolat, referred to the Planning Committee.

PETITION TO EXTEND THE BOUNDARIES OF THE RESTRICTED RESIDENTIAL DISTRICT.

June 19, 1931.

To the
Honorable Ottis Green, Mayor
and the Councilmen of the
City of Asheville.

We, the undersigned, owners of property within the area described below, do hereby respectfully petition the City Councilmen to extend the northern boundaries of the restricted residential district defined in Ordinance #82, enacted March 30, 1928, and recorded in the City Minute Docket 5A, page 221.

We do respectfully request that the boundaries of the extended district be described as follows:

> Beginning at the intersection of the southern margin of Hillside Street and the western margin of Washing Road; thence with the southern margin of Hillside Street to the western margin of Murdock Avenue; thence with the western margin of Murdock Avenue to the southern margin of Coleman Avenue; thence with thesouthern margin of Coleman Avenue to the eastern margin of Austin Avenue; thence with the eastern margin of Austin Avenut to the northern margin of Spears Avenue; thence with the northern margin of Spears Avenue to the eastern margin of Merrimon Avenue; thence with the eastern margin of Merrimon Avenue to the southern margin of Hillside Street; thence with the southern margin of Hillside Street to the point of beginning.

F. M. Jordan
Nannie E. Jordan
Frank M. Salley
H. D. Bryson
E. W. Bryson
Mr. and Mrs. H. G. Bailey
Florence Voorhies
Mrs. E. S. Hull
J. M. Thomas
H. K. Pattison
B. F. Weaver
Vena Cook
Mrs. K. Binkmeyer
F. A. Walton
Jessamine Voorhies
A. C. Johnson
D. B. Burns
Ralph E. Lee
H. B. Voorhies
Mrs. S. H. Wood
Chas. L. Henderson
Mrs. J. M. Roberts
C. E. Williams
Mrs C. M. Williams
Mrs. M. W. Peacock
W. D. Harris
Mrs. Louis A. Rhodes
J. S. Hull
J. M. Chenowith
E. E.Ellis
Mrs. W. M. Adams
Mabel F. Snell
Mrs. E. S. Goodhue
Mrs. F. M. Salley
Mrs. I. E. Ashcraft
Emma L. Thompson
James E. Rector
L. A. Rhodes
E. T. Bolote
L. C. Murrow



The report of the committee in regard to the proposal of [illegible] of certain musicians to provide band concerts at [illegible] Park during the [illegible] was presented, and on motion of Mr. Devereaux, seconded by Mr. Boyd, the report was adopted by the Council.

June [illegible], 1931.

TO:

Honorable Mayor Green,
Asheville, N. C.

Dear Sir:

At the meeting of the Council, June [illegible], 1931, a proposition made by Joseph DeMaria, on behalf of certain musicians of the City, to furnish band concerts at Recreation Park during the Summer of 1931.

In order to finance this proposition it would be necessary for the City to charge an admission fee of 10 cents per person, to be collected at the entrances of the park between the hours of [illegible] P. M. and [illegible] P. M. when the concerts are to be given.

Your Committee feels that this would be unfair to the people as the Park has been open to the citizens and visitors of the City without charge since its inception.

While we feel that the band concerts would be enjoyed by many, we are opposed to charging an admission fee to the park, and therefore your Committee recommends that the proposal of Mr. DeMaria be [illegible].

Very truly yours,
Louis Brumsey
Clyde Boyd
[illegible]
Julian F. [illegible]

LL:MH

Mr. Plummer reported the receipt of an offer from the Ivy C[illegible] of cypress lumber salvaged from the filtration plant on the [illegible] Company offered to pay $1,000 for the lumber.

Moved by Mr. Smith, seconded by Mr. Wambolat, that the offer be accepted. City Manager and the Corporation Counsel with power to act.

Mr. Plummer stated that there were a number of telephones in the City Hall that are subject to call at any time, which were being paid for by the city and that the Telephone Company provides that the City is entitled to ten telephones free of charge. He recommended these telephones be placed on the free list. Mr. Plummer's recommendation was approved.

At the request of the West Asheville Community Club [illegible] the former Park Commission for the use of the pavilion in Memorial Park was brought up by Mr. Plummer. The request for the use of the pavilion was made because the Community Club wishes to [illegible].

It was moved by Mr. Wambolat, seconded by Mr. [illegible] Community Club be allowed possession of the pavilion for three years with the understanding that the property in good condition.

Mr. Boyd offered an amendment that the lease be for two years, with renewal at the end of that time for another year. This motion [illegible] carry.

The original motion was voted on and carried.

Mr. Merrimon reported upon his investigation of the claim of T. H. [illegible] reduction of assessments on Vance Street opening and widening and recommended that the [illegible] tion be not made, also the claim of the Consolidated Realty Company for reduction of assessments on Marjorie Street opening and widening be not granted.

Mr. Merrimon reported he had a communication in regard to liquidation of collateral of Luke Lea held by the city and asked that a committee be appointed to go into this proposition.

Moved by Mr. Woodcock, seconded by Mr. Devendorf that a committee be appointed to confer with the City Manager and the Corporation Counsel in regard to the matter of the Luke Lea collateral. The following committee was appointed by Mr. Lipinsky: Messrs. Woodcock, Britt and Devendorf.

There being no further business, the meeting, on motion, adjourned.

City Clerk.

Thursday, July 2, 1931- 8 o'clock, P. M.

The City Council met in regular session: Mayor Green presiding. Present: Councilmen, Plott Boyd, W. C. Britt, Wilkes Wamboldt, Julian A. Woodcock, H. C. Brookshire, Wilbur Devendorf, Ottis Green and Frank S. Smith, City Manager H. W. Plummer and Corporation Counsel, J. G. Merrimon. The minutes of the previous meeting were read and approved.

Attorney S. J. Pegram appeared before the Council and made claim for damages on account of opening and widening Poplar Street, property of Mrs. Mamie E. Pegram, stating that claim had been filed with the former Board of Commissioners.

Moved by Mr. Woodcock, seconded by Mr. Britt, that this be referred to the Committee to investigate complaints of assessments. Motion carried.

Attorney I. L. Hollowell made claim for damages on account of opening and widening Poplar Street to the property of Mrs. Johnson. He stated that the claim has been filed with the former Board of Commissioners but no action taken.

This matter was ordered referred to the committee to investigate complaint of assessments. Motion made by Mr. Woodcock, seconded by Mr. Britt and unanimously carried.

The request of Mr. Dougherty for free permit to peddle peanuts on the streets of Asheville was referred to the City Manager.

Permission to solicit house owners to paint stencil numbers on curbs in front of houses was presented. Mr. Devendorf moved, seconded by Mr. Britt and carried that the matter be referred to the City Manager and the Corporation Counsel for investigation and report.

Attorney Marcus Erwin appeared before the Council in regard to soliciting passengers at the passenger station. He requested that the ordinance now in existence regulating soliciting at depot be amended in order to give fair advantage to all.

Attorney James G. Howell requested that a new starter be placed at the depot who is uninterested.

Mr. W. F. Bridges, president of the Red Top Company, explained the contract by his company with the Southern Railway Company and the activities of his company.

Messrs. J. H. Wood and W. F. Cooper of the Southern Railway Company, gave short talks showing the advantage of the present arrangement to the traveling public.

After discussion by the Council, Mr. Wamboldt moved, seconded by Mr. Devendorf and unanimously carried, that a committee be appointed to investigate the matter and to work with the City Manager, the Corporation Counsel and the Director of Public Safety and make recommendations to the Council.

Mayor Green appointed Messrs. Wamboldt, Boyd and Devendorf on this committee.

Mrs. M. H. Harris, representative of the League of Women Citizens, reported to Council that the League would send two representatives to each meeting of the Council.



A communication [illegible] by Mr. [illegible] and on motion of Mr. Devendorf, [illegible] Manager and Mr. Cowan [illegible].

July [illegible].

To the Honorable Mayor and [illegible]:

The Parent-Teacher Associations of the [illegible] desirous of obtaining [illegible] normal healthy recreation. They have [illegible] corner of Pine and [illegible] Streets from [illegible] are asking that a light be put there, [illegible] Otherwise they are on the street cars, and [illegible] which the women of the Parent-Teacher Club [illegible].

Mrs. M. H. Harris has [illegible] old jail property, for the [illegible] will keep it up, [illegible] man who says he will [illegible]. The [illegible] depredations are [illegible].

Mr. Hilsebrand, who [illegible] let the Colored people [illegible].

We feel that it is absolutely necessary that the [illegible] These are all small children, but together they [illegible] is thickly populated, [illegible] stipulations, connected with the [illegible] would ask the Honorable Council to [illegible].

FIRST. The permission [illegible].

SECOND. That the City [illegible] City has to pay nothing [illegible].

THIRD. That lights be [illegible] which is the lot the [illegible]. Women [illegible] City has very little money to spend they only [illegible] they say that lights on Lincoln and Gully [illegible] necessary on account of [illegible].

We ask that the Honorable Council and Mayor give [illegible] kindly attention.

I assure you that I know Maggie Jones personally, [illegible] sensible woman, and [illegible] Association, she will be responsible [illegible].

Very [illegible],

[illegible] F. L. Shamp.

Mr. Plummer reported that the budget must be [illegible] to the Board of Financial Control on July 14th, and [illegible] the first of the week.

He also reported the [illegible] and the 1930 taxes would be turned over [illegible] designate a depository for the tax fund.

Mr. Boyd moved, seconded by Mr. Smith, unanimously [illegible] a Trust Company be designated as official depository.

[illegible] Board adjourned [illegible].

A letter was submitted [illegible] Carole Weaver on Jarrett Street, [illegible] be set up in installments over a period of ten years.

Mr. Smith moved, Mr. Woodcock seconding the motion and unanimously [illegible] time of payments be extended and the interest be [illegible] on the [illegible] Weaver on Jarrett Street sewer, and that the City Engineer be [illegible] this assessment.

(Motion withdrawn)
(Minutes corrected on page 75)

Mr. Plummer reported he had sold the cypress lumber which was salvaged from the filtration plant to the Ivey-Jones Enka Corporation for $1,000.00 This sale was confirmed by the Council.

Mayor Green appointed a committee composed of Messrs. Smith, Britt and Brookshire to draw resolutions regarding the death of Benjamin M. Lee, City Engineer for many years.

Mr. Plummer submitted a petition from water registers requesting special tax be lowered. No action taken.

There being no further business, on motion of Mr. Smith, seconded by Mr. Boyd, the meeting recessed until Tuesday night, July 7th at 8 o'clock.

City Clerk.

Tuesday, July 7, 1931 - 8 o'clock, P. M.

The City Council convened after recess; Mayor Green presiding. Present: Councilmen, Plott Boyd, W. G. Britt, H. G. Brookshire, Julian A. Woodcock, Wilkes Wambolt, Wilbur Devendorf and Fred D. Smith, City Manager, H. W. Plummer, and Corporation Counsel, J. E. Hamilton.

A communication from the Bondholders' Protective Committee for Asheville & Buncombe County, N. C. was read to the Council and ordered embodied in the minutes.

June 6, 1931.

To the Honorable Members of-
City Council, Asheville, N. C.,
Board of Education, Asheville, N. C.,
Board of Commissioners, Buncombe County, N. C.,
County Board of Education, Buncombe County, N. C.,
Board of Financial Control, Buncombe County, N. C.

Gentlemen:

A Meeting of the Bondholders' Protective Committee for Asheville and Buncombe County, N. C. was held yesterday, at which a report was heard from Mr. Henry Steffens as to conditions in your community. After a general discussion of the situation the following conclusions were reached.

In the opinion of Mr. Steffens certain economies can be put into effect, which by the City and County can efficiently operate and at the same time pay full interest on their bonds and notes at the present rates.

The County and City are requested to adopt budgets with economies in operating expenses, substantially in line with suggestions to be made by Mr. Steffens. These budgets to include all current and matured interest. Mr. Steffens will be available to the County and City, without expense to them, to offer suggestions as to ways and means of bringing about the economies suggested by him.

All funds realized from accounts in the securities received from defunct banks, sinking fund commission, officials and taxes which are delinquent at the close of the fiscal year are to be set aside in a separate account and pledged, only to meet bonds maturing, in case tax collections are not sufficient.

The Committee urges the strict enforcement of tax collections in line with the plans which have under the law been adopted by the Board of Financial Control. No bonds other than those matured shall be accepted in payment of assessment liens.

With the cooperation of the officials along lines suggested above, the Committee will recommend to the holders of all past due and maturing bonds the acceptance of refunding bonds, at corresponding rates, according to existing statutes, in order to relieve the taxpayers of taxes to pay approximately $800,00 of principal maturing annually, until such time as the credit of the community has been restored.



We wish to [illegible] for the assistance rendered by the Committee, and we appreciate their cooperation.

Yours truly,

H. W. Plummer,
City Manager.

HWP:T

The Council [illegible] beginning September 1, 1931 [illegible] June [illegible].

No action was taken [illegible] was continued until the regular session on Tuesday, July [illegible].

There being no further business, the meeting adjourned.

Mayor.

City Clerk.

Tuesday, July 7, 1931 - 8 o'clock, P. M.

The City Council convened in regular session; Mayor Green presiding. Present: Councilmen, Plott Boyd H. G. Brookshire, Julian A. Woodcock, Wilkes Wambolt, Wilbur Devendorf and Fred D. Smith, City Manager, H. W. Plummer, and Corporation Counsel, J. E. Hamilton.

The minutes of the previous meeting were read and approved as corrected:

"A letter was submitted from Attorney [illegible] of Mrs. Carrie Weaver on Jarrett Street, asking that the [illegible] principal be set up in installments with interest of [illegible].

Mr. Smith moved, Mr. Woodcock seconded the motion that the time of payments be extended and the interest be [illegible] Mrs. Carrie Weaver on Jarrett Street [illegible]. This motion was withdrawn and Mr. Smith moved that the matter be referred to the City Engineer [illegible] of this assessment.

City Manager Plummer [illegible] John B. Hooks Jr Chief Accountant of the City of Asheville.

Mr. Plummer read [illegible] City [illegible].

It was moved by Mr. [illegible], seconded by Mr. [illegible], that Mr. Plummer as City Manager [illegible] resignation to become effective July 15th.

[illegible]

To the Mayor, and the City Council,
Asheville, North Carolina.

Gentlemen:

I hereby tender my resignation as City Manager [illegible] Finance; same to become effective at your earliest convenience.

I take this action, having been advised by you that you prepared to appoint my successor. When I accepted the office, at your request, it was with the understanding that I should not [illegible].

Respectfully,

H. W. Plummer.

HWP:sb

Communication from Mr. C. J. Millard in regard to pension for the family of Mr. B. M. Lee, deceased, was presented and on motion referred to committee appointed to investigate pensions, composed of Messrs. Devendorf, Brookshire and Britt.

July 7, 1951.

To the Mayor and Council of Asheville.

Gentlemen:

A fellow citizen, Mr. B. M. Lee, a most estimable citizen of Asheville, died.

Mr. Lee served Asheville faithfully and acceptably as city engineer between thirty and forty years at a modest salary.

Mr. Lee's widow is a paralytic, quite helpless and needing constant care. His only child, a daughter, the only person to give such care has incipient tuberculosis.

Mr. Lee was not able to save money to provide for his family after his death, and his wife and daughter are in grave financial need.

In recognition of Mr. Lee's long and faithful service to our City I am asking your honorable body to grant his family a pension sufficient to relieve their distress and to show the appreciation in which Mr. Lee's long service is held.

In granting this petition, no precedent would be established, as with but one exception, no city official has served for any comparable length of time.

Yours respectfully,
C. J. Millard.

Report of the committee appointed to investigate the request of the Independent Taxi Driver that the ordinance soliciting at the station be amended was read to the Council.

July 9, 1951.

A Committee composed of Mr. Karl Kamboldt, Plott Boyd, and Wilbur Devendorf, in consultation with the City Manager, Director of Public Works and Public Safety, and Corporation Counsel, have given careful consideration to the petition of the Independent Cab Drivers, relating to the repeal or amendment of Ordinance #1047.

The Committee recommends, after full consideration and investigation, that the Ordinance be not repealed, it being understood that taxi cab drivers willbe required to obey the Ordinance #1047.

Wilbur Kamboldt
Plott Boyd
Wilbur Devendorf.

Moved by Mr. Woodcock, seconded by Mr. Britt that the report of the committee be accepted.

The committee appointed to draft resolutions on the death of Mr. B. M. Lee submitted the following resolution:

The City Council pauses again to pay tribute to the life of a good man.

Benjamin M. Lee has finished his work and gone to his reward.

For over forty years, as Engineer, he served his city, honestly, faithfully and efficiently and by his upright life and courteous bearing won and held the esteem and confidence of his fellow citizens through all these years.

His example both in public and private life should be emulated and taken as a standard by all who serve our city.

His fellow men will join with his Master in saying, "Well done, thou good and faithful servant".

Frank Smith, Chairman
[illegible]. Britt
H. G. Brookshire.



The Committee composed of Frank Smith, Chairman, Julian A. [illegible] Boyd appointed to nominate a [illegible] submitted the following report: Mr. H. W. Rigsby city manager:

[illegible], N. C.
July 9, 1951.

TO THE HON. MAYOR AND THE CITY COUNCIL:

Your committee [illegible] reports as follows:

After [illegible] to the number of [illegible] voluminous correspondence, personal [illegible] eligible. Some [illegible] process of elimination, the number [illegible] one, according [illegible] character, experience, [illegible] fitness for the position. We do not consider [illegible] involved.

After many [illegible] each applicant, it is our judgment that [illegible] needed for the manager of our City [illegible] of Charlotte, and we [illegible] with nominating him for the [illegible] $13,000.00 per year.

[illegible]
Julian A. [illegible]
Plott Boyd

Committee.

Representatives of organized labor in the City [illegible] Council to meet the final action but [illegible] the [illegible].

After some discussion, Mayor Gordon [illegible] Mayor, H. W. Rigsby was unanimously [illegible] City Manager.

[illegible]

Mr. Merrimon [illegible] of fifty days in which [illegible] payment be extended fifty days.

[illegible]

Mr. Merrimon submitted [illegible] of the claim of Henry P. [illegible] storm water to property at [illegible] denied.

Mr. Britt moved, [illegible] by Mr. Boyd, and unanimously [illegible] approve the City Engineer's [illegible] motion, and that [illegible].

July 9, 1951.

Mr. H. W. Plummer
City Manager
Asheville, North Carolina

Dear Mr. Plummer:

Attached [illegible] petitions and [illegible] Pearson, Howard [illegible] property located [illegible] Asheville Ave.

The [illegible] property is on the west side of Asheville Avenue [illegible] hollow about 10 ft. [illegible] ft. by 2.5 ft. box culvert. The culvert is built of [illegible] square feet. This opening is sufficient to carry [illegible] on the 45 acres lying [illegible] Asheville Ave. and [illegible] Ave. However, a 24 in. terra cotta pipe [illegible] laid for the [illegible] culvert up the hollow across the lot upon which [illegible] erected. This pipe was not installed by the City of Asheville. It [illegible] laid by the property owner, although I have no definite information as to [illegible] whom the work was done. The [illegible] square

feet which is only [illegible] of the street culvert. During heavy rains, because of the steep slopes within the drainage area, reaches the pipe in great volume and with great velocity. Since the area of the pipe is inadequate to carry off the water during heavy rains, it backs up upon the adjoining property, and is retained there until it is drained off by the street culvert.

On July 1st, 1931, M. D. H., Page 401, W. W. Lusk, tenant in #81 Ashelane Avenue filed claim for damage done to his personal property by the above water. There is no record of any settlement having been made. Numerous other complaints have been received because of back water at this point. The condition will continue until the 24 in. pipe is replaced by a 42 in. pipe or culvert of equal size.

No attempt has been made to remedy the condition since the city contends no responsibility for the construction of the small storm sewer, which backs in with trouble from pipes not installed by the city near the junction of the culvert and the pipe, as a sanitary measure, to carry off stagnant water from the adjoining properties. These pipes placed horizontally are quickly covered by debris during heavy rains, consequently do not relieve the condition. Since the city admits of sufficient size and since the grass for the culvert has been obtained by prior to property owners, the city should not accept responsibility for the damage done.

Respectfully yours,
P. L. Maynard
City Engineer.

NORTH CAROLINA) BEFORE THE MAYOR AND COUNCIL OF THE
BUNCOMBE COUNTY) CITY OF ASHEVILLE, NORTH CAROLINA.

HENRY P. PEARSON
Claimant
Vs.
CITY OF ASHEVILLE — NOTICE AND CLAIM FOR DAMAGES.

Henry P. Pearson, hereinafter named, being first duly sworn, deposes, gives notice of and makes claim, or demand on the City of Asheville as follows:

1.

That his place of residence is 50 Florida St., City of Asheville, County of Buncombe, State of North Carolina.

2.

That he is the owner of that certain eight room House, situate at #81 Ashland Ave., aforenamed City, County and State.

3.

That on the 15th day of June, 1931, the entire first floor of the claimants aforementioned house at #81 Ashland Ave., Asheville, N. C. was flooded, and thereby damaged by reason of the City of Asheville, in so doing, its acts in obstructing a natural drain-way back of said house with an unsightly culvert, of stand off pipe, causing the water naturally flowing down said drain-way on the aforementioned lot to be diverted, gathered in bulk and cast upon this claimant's dwelling. That this was done, despite the fact that the City of Asheville had been theretofore notified of said condition that they had created at said place, and the danger, that was evident, would result therefrom, but that despite said notice the City of Asheville did negligently allow said condition to continue, resulting in the damage herein complained of.

4.

That the damage done in the aforestated manner, and on the aforestated date, was, that the flooring on the entire first floor of said dwelling was flooded and caused to stand under water for a considerable period of time on said date, which completely soaked same, resulting in the swelling and warping of said flooring since, to the extent that same will have to be replaced, that said dwelling was further damaged in that the foundation of same has been and is being caused to settle and give way, and that said condition, further caused said dwelling to be immediately vacated by the claimant's tenants in said house at the time resulting in a loss to this claimant of Five Dollars per week rent ever since and continuing and that said entire premises have been rendered in such an unsafe, unhealthy and unsightly condition as to make same unhabitable, all to the great damage of this claimant in the sum of $1,500.00

5.

That the aforestated damages to this claimant's said property at #81 Ashland Ave. was the direct and proximate result of the City of Asheville's acts in obstructing said drain, and allowing said obstruction to continue and remain, when it had full knowledge of same, or with the exercise of ordinary care should have known of same, that said condition would result in damage to this claimant's said dwelling as aforesaid.

WHEREFORE: Henry P. Pearson, claimant, hereinbefore named, hereby serves notice and makes claim for, from the City of Asheville, damages on the hereinbefore stated matters in the sum of $1,500.00

Presented to the Mayor and Council City Manager of the City of Asheville, N. C.
This 26th day of June, 1931.

Henry P. Pearson
Claimant

SWORN to and subscribed before me this the 26th day of June, 1931.
Neville C. Pauley
Notary Public
Buncombe County, N. C.

Commission expires
April 18, 1932.



NORTH CAROLINA
BUNCOMBE COUNTY

HOWARD HARRIS,
Claimant.
Vs.
CITY OF ASHEVILLE

Howard Harris, claimant herein named, being first duly sworn, deposes, gives notice of and makes claim, or demand on the City of Asheville as follows:

That his place of residence is [illegible] aforenamed County and State.

That on the 15th day of June, 1931, the entire first floor of the house at #81 Ashland Ave., Asheville, N. C.

That on the 15th day of June, 1931, the dwelling at #81 Ashland Ave., [illegible] had been diverted, gathered in bulk, and cast upon this claimant's dwelling, a natural drain-way back of said house, with an unsightly culvert, of stand off pipe, through its agents had placed in said drain-way on the aforementioned lot to be diverted down same, through said culvert, and on, under and across said Ashland Ave., and by reason of the City of Asheville, in so doing, its acts in obstructing a natural storm weather drain, the City of Asheville had caused said culvert to partially fill with dirt and rubbish and had allowed said culvert to partially fill with dirt and rubbish and thereby creating a dam in said drain-way on the aforementioned lot to be diverted, gathered in bulk and cast upon this claimant's dwelling down same during rains into the claimant's said dwelling.

That as a direct and proximate result of the City of Asheville's acts in obstructing said drain, and allowing said obstruction to continue and remain, when it had full knowledge of same, or with the exercise of ordinary care should have known of same, that said condition would result in damage to this claimant's said dwelling as aforesaid, the property of said nature, in the [illegible] damaged or entirely ruined and [illegible] household furnishings [illegible] as to make it impossible for [illegible] to continue [illegible] done on this claimant's property [illegible] manner, and for which the [illegible] Asheville for, is in the amount of $[illegible].
This the 26th day of June, 1931.

SWORN to and subscribed before me this the [illegible] day of June, 1931.

Presented by:
Sanford F. Brown
Attorney for Claimant.

NORTH CAROLINA
BUNCOMBE COUNTY

WILL CURETON
Claimant,
Vs.
CITY OF ASHEVILLE — NOTICE AND CLAIM FOR DAMAGES.

Will Cureton, claimant above named, [illegible], demand on the City of Asheville as follows:

That his place of residence is [illegible] aforenamed County and State.

That on the 15th day of June, 1931, the entire first floor of the house at #81 Ashland Ave., Asheville, N. C.

That on the 15th day of June, 1931, the dwelling at #81 Ashland Ave., [illegible] which water had been diverted, gathered in bulk, and cast upon this claimant's dwelling in Asheville from a natural drain-way back of said house, [illegible] said date, through its agents had placed in said drain-way [illegible] culvert in [illegible] water flowing down same through said culvert and on, under, and across said Ashland Ave., [illegible] natural storm weather drain, the City of Asheville had caused said culvert to partially fill with dirt and rubbish and had allowed said culvert to partially fill with dirt and rubbish and thereby creating a dam in said drain-way [illegible] without cleaning same, thereby creating a dam in said drain-way [illegible] flowing down same during rains into the claimant's said dwelling, and the

That the claimant has a mortgage on the above described property, which was a direct result of the City of Asheville, its officers, employees, etc., in that [illegible] bedding, mattresses, [illegible] personal property of said claimant, by reason of the fact, and because of the premises [illegible] greatly damaged or entirely ruined [illegible] vermin, and that all the furniture of his household [illegible] damaged, and the premises [illegible] in such condition as to make it impossible for the claimant to continue living there, and that the entire damage done to said claimant on said occasion by the City of Asheville, in the aforestated manner, and for which the claimant hereby gives notice of and makes claim upon the City of Asheville for, is in the amount of $[illegible]

This 26th day of June, 1931

Will Cureton
CLAIMANT

SWORN to and subscribed before me this the 26th day of June, 1931.
J. B. Cain
Clerk Superior Court.

Presented by:
Junius W. Brown.
Attorney for Claimant.

Mr. Plummer reported that Mr. Cowan and he had investigated the proposition for negro parks and that he recommended that the proposition be not accepted. The following report was submitted:

Regarding letter of Mrs. Glenn suggesting sites for possible negro parks and the proposition submitted to the City Manager and the Director of Public Works, your committee was obliged to report adversely on all of the propositions outlined in the letter on being for the establishment of negro parks at the corner of College and Mountain Street on the land owned by [illegible] and the other on the lot at the corner of Valley and Hilliard Street, owned by Mrs. M. H. Harris. The proposition being that the City agree to assume 1930 taxes in consideration of the use of the lands in taxes for 1930 amounting to $101 and $148 respectively, and your committee considers that an excessive rent for one season. Moreover, if the lands are taken for such purposes something in the way of sanitary improvements would be necessary and add further to the cost. Aside from these reasons it occurred to your committee that it would be against good policy to have such parks not under the direct supervision and control of the city itself.

Moved by Mr. Woodcock and seconded by Dr. Rochelle, unanimously carried, that the report of the committee be accepted.

Mr. Plummer presented a supplementary report from the City Engineer in regard to the request of Mr. Guy Weaver for cancellation of interest and extension of time in which to pay assessments on sewer on Jarrett Street, property of Mrs. Carrie Weaver

July 8, 1931

Jarrett Street,
Sewer Assessment,
Carrie Lee Weaver

Mr. Gerald Cowan,
Director of Public Works,
and Public Safety.

Dear Sir:

Supplementing my report of June 18, 1931, regarding the Jarrett Street sewer assessment lodged against the Carrie Lee Weaver property, is the following information:

The total assessment of $[illegible] was payable in three annual installments beginning March 10, 1932. Since none of the installments have been made, the total amount plus interest from March 10, 1932 to July 7, 1931 is now due as follows:

| | |
|---|---|
| Total Assessment | $419.87 |
| Interest from March 10, 1932 to July 7, 1931 | 109.08 |
| Total | 530.87 |

Lodged against the lot is the paving assessment of $148.00 for 74 ft. of pavement fronting on Merrion Ave. This amount was payable in five annual installments of $29.60 beginning December 7, 1925. None of these installments have been made. The total amount plus interest is now due as follows:

| | |
|---|---|
| Total paving assessment | 148.00 |
| Interest from December 7, 1925 to July 7, 1931 | 49.58 |
| Total | 197.58 |

Very respectfully
J. L. Maynard
City Engineer

JLM:jh



Moved by Mr. Woodcock, [illegible] by Mr. [illegible], that the report of the Committee on Assessments [illegible]

The proposed budget [illegible] 1930 was submitted and on motion was [illegible] committee on same was [illegible] M. budget and report any recommendations [illegible] at 4 o'clock, P. M.

On motion the [illegible] final action on the budget.

Mayor [illegible]

The meeting [illegible]

Mayor [illegible]

The City Council [illegible] Julian A. Woodcock, Frank B. Smith, [illegible], Wilbur Davenport, Wilmer [illegible] Counsel, J. G. Merrimon. The [illegible]

The resignation of [illegible] C. of Mr. Smith, seconded by Dr. [illegible]

Honorable Mayor and
Board of Councilmen,

Gentlemen:

Communication [illegible] to reply: that for [illegible] Chamber secure [illegible]

advantage of the [illegible] Asheville, but of [illegible] County, [illegible] the maintenance of [illegible] system, [illegible]

E. M. [illegible]
Secretary.

A resolution [illegible] endorsing the election of Mrs. [illegible] by the City Manager [illegible] Women Citizens for their [illegible] election.

The Clerk was instructed [illegible]

Be it known [illegible] City Council its thanks for the [illegible] election of Mrs. [illegible] The fact that Mrs. [illegible] positions, and that [illegible] basis for strong [illegible]

The League will follow Mrs. [illegible] By-[illegible]

[illegible] Council in this connection to the [illegible] City of Asheville and head [illegible] months.

[illegible], North Carolina
July 16, 1931.

[illegible]

[illegible]:

This is a rare [illegible] group of men who [illegible] feeling for [illegible] sense of duty, [illegible] of respect, [illegible] ion, [illegible] ity.

[illegible] for your [illegible] attitude on all [illegible] and [illegible] you for your patriotism, loftiness of spirit, [illegible] of intelligence, and [illegible] votion to duty. [illegible] by [illegible] for the [illegible] of your sincerity, loyalty, and bigness of heart.

[illegible] grateful to you for the splendid service you have rendered [illegible] City Manager, [illegible] and for the invaluable aid [illegible] given us, the City Council.

We feel that no other [illegible] of Asheville could have gone [illegible] you have done. [illegible] you from the bottom of our [illegible].

[illegible] roll on, [illegible] with you to another [illegible].

Sincerely and [illegible] yours friends,

Ottis [illegible]

Louis Lipinsky
Julian A. Woodfork
[illegible] Vanderbilt
Frank D. Smith
H. G. Beckwith
Platt Boyd
[illegible] C. Britt
Wilbur F. Vandorf

[illegible]

Mr. Rigsby submitted the proposed budget for [illegible] months beginning October 1, 1931 and ending June 30, 1932. He also submitted report explaining the budget submitted [illegible] with an opinion from the Commission Council in regard to special appropriations.

July 16, 1931.

To the Mayor and City Commissioners
City of Asheville, North Carolina.

Gentlemen:

[illegible] herewith to you the operative budget for [illegible] months beginning October 1st. In presenting this budget I want to give full credit to those who have made a study of the situation and [illegible] the [illegible] estimates possible for me to make during the part week. I want to give particular [illegible] to Mr. Plumley, Acting City Manager, and to Mr. Hooks, Accountant.

You will note that this budget is called an operating budget due to the fact that there is nothing included for interest or repayment of the city debt. This is left out for the reason that the adjustment of fixed charges is still in process of negotiations and to put down any figure might be either suggestive or misleading. This item of the budget, however, can be supplied just as soon as a definite figure has been reached which will [illegible] the city [illegible] for adjustment.

The purpose of the budget, of course, is to present a work that [illegible] of city service. This budget has been kept as nearly as possible what it will cost to maintain [illegible] reasonable public safety, public health, and maintenance of properties in a reasonable manner. Anything that might be saved in the performance of the [illegible] by organization or combination cannot at this time be [illegible], but if such savings can be made the amount will be held in reserve [illegible] funds for the purpose of helping in the next year's budget.

It will be noted that, in spite of the fact that it was thought necessary to appropriate $[illegible] for replacing work-out equipment, this operating budget is [illegible], 000.00 less than the one under which the city was just [illegible]. It should be noted that this budget calls for an expenditure of [illegible], which [illegible] revenues other than taxes will amount to $518,750.00, which leaves only $313,105.00 to be raised by the levying of a tax, which [illegible] all twenty cents of the total tax rate of the city will be devoted [illegible] tion; all in addition to this will apply to the debt



It should be [illegible]
necessitated by [illegible]
ten months, or [illegible]
twenty per cent to [illegible]
faced with next [illegible], and I should [illegible]
for a longer period. However, [illegible]
in each instance [illegible]

I wish [illegible]
especially on [illegible]
that we left [illegible]
the assessment [illegible]

You will also [illegible]
Council, in which [illegible]
last such [illegible] and [illegible].

[illegible]
[illegible]

HWR:eb
Enclosures.

To:

Honorable Mayor and
Members of the City Council
Asheville, N. C.

Sirs:

Since last [illegible]
authorities have [illegible]
be used in [illegible]
Commerce, and I [illegible], [illegible]
never contains [illegible]
numerous [illegible]

The question [illegible]
make the appropriations [illegible]
for an opinion on this [illegible].

I am unable to [illegible]
City government to [illegible]
been made to the Commission [illegible]
and purposes. I cannot [illegible]
office for eight [illegible]
of no such power [illegible]

The general [illegible]
shall be passed [illegible] County, and
authority is given only [illegible]

You will note that [illegible]
City is given the [illegible]
law in this State [illegible]
municipal corporation, [illegible]
treated separately in [illegible]
"Municipal corporations [illegible]
statutes of North [illegible].

As to [illegible] Chapter 54, P. L. [illegible]
by the General Assembly of North Carolina [illegible]
the power or authority [illegible]
accordance with the [illegible].

Inasmuch, however, as all [illegible]
stone yearly for [illegible] of the city [illegible]
has not the final determination of the [illegible]
is merely advisory, I would suggest that in [illegible]
amounts for both of the [illegible] be included in
requisite, necessary and proper, and to call attention to [illegible]
your reasons for your action, and the opinion [illegible]
When you submit this budget to the Board of Finance [illegible]
supervisory powers of the budget as recommended by you.

When you have done this, I think you will [illegible] duties and determination of this matter will rest with the Board of Finance and Control of Buncombe County, of which the State Board of Finance and Control must submit the budget. If these supervisory boards [illegible] appropriations are proper and legal, then the proper authority will [illegible] be levied to pay such appropriations in the budget as submitted by you, and your body will have performed its duty in determining the [illegible] the expenditure of public moneys to that purpose will rest upon the control of such matters.

Very truly yours,
J. S. Mc[illegible]
Commissioner

JCM:lc

A letter from M . H. W. Pl , , xpressing hi
ed

, North Ca olina.
July , 1931.

. . P. T , City
,
, N. C.

Dear M . Th :

T
ounsil. I would give
, but it is
ith whom I associated, that
nt. My ambition
nil in thankful that my

It is only with
, you know, when I
n for th loyal support which I
ounsil and the City employees, with
be accomplished and I trust that
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will be

With

Yours truly,
H. W. Plummer



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Mr. Ro
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Mr. W. G. P
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L. W. S. M
regarding the name of

W. Otis Brown,
City of Asheville,
Asheville, N. C.

And
Member of City

We, the
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Roberts Park, to
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Commission,
would be

The
"Asheville

Asheville
Mr. Lipinsky
Mr. Woodcock
that the matter be referred
change the name of Roberts
Commission
Carried.

Mr. Rigsby
cattle barring be passed
the necessary sidewalks be
provided.

The Honorable M
Asheville, North

Gentlemen:

At
Development of Pi
in reference to
aspects of the
Commission on

ATTORNEYS FEES

Edw[illegible], Comptroller



Section 7.

Section 8.

Dining Room,

Section 9.

Section 10 of the

July, A. D., 19[illegible]

Approved as to Form:
J. G. Mat[illegible]m
Corporation Coun[illegible].

addition thereto may be suspended or dismissed, in the manner provided for in this ordinance. If any person in the Police Service shall be

Noble St.

for Ruby Smi



G.S. Ladd for

ndy

Thursday, August [illegible], 1951. [illegible] P. M.

The City Council met in regular session Mayor Green presiding. Present: Councilmen, Plott Boyd, W. C. Britt, H. G. Brookshire, Milb[illegible]ewhorf, Ottis B. Green, Louis Lipinsky, Wickes Wamboldt and Julian A. Woodcock, City Manager, R. W. Lassey and Corporation Counsel, J. G. Merrimon. The minutes of the previous meeting were read and approved.

The budget amendment to debt service and financial plan presented by the Council was read by the Clerk.

Mr. Lipinsky moved, seconded by Mr. Britt, that copies be sent to the Board of Financial Control, Noteholders' Protective Committee, Bondholders' Committee and the Local Government Commission in Raleigh. All members of the Council voting "Aye" the motion carried.

August 20, 1951.

The attached schedule shows three methods of financing interest on and repayment of City debt for a ten month period, which is the length of the next fiscal year.

Number One shows the actual amount the City is obligated to pay during the next ten months on the City debt in accordance with the present terms of the outstanding obligations. This would mean a debt service City tax rate for debt service alone of approximately $5.75 which includes interest on interest and principal in default. This would mean confiscation of property.

Number Two is the same as the first, except as it is affected by the proposed new issue of Revenue Anticipation Notes in accordance with the agreement arrived at April 28, 1951, by the City Commissioners, County Commissioners, and County Board of Education. This agreement proposes to defer the principal payment of $4,760,000 for a period of five years, and a slight reduction in interest. No proposal has been made to the City Council relative to deferring principal payments on bonds. This would mean a debt service tax rate of approximately $2.00, which includes interest on interest and principal in default on a ten month basis. This is not only prohibitive, but would be disastrous in its final results because it defers to the future a problem that should be solved now, and could be realized only in the event the City Council consummated the agreement.

Number Three calls for a debt service City tax rate of approximately 63¢ which also includes interest on interest and principal in default, on a ten month basis, or 76¢ on a twelve month basis, which together with operating rate of 20¢ would make a total of 83¢ amd 96¢ respectively, andis recommended by this Council as the basis of adjustment in accordance with the report which follows. This would mean an actual annual interest saving to the tax payers for City debt of approximately $300,000. This rate will promote the payment of back taxes and assessments and bring the City back to a paying attitude.

The Council does not countenance any attitude of misleading the public, or the security holders by fixing a tax rate that will confiscate property, or cover up the true condition of the City's finances.

The City Council, as the duly elected representatives of the People of Asheville, does not want any negotiations or proposals considered or agreed upon relative to the City's debt, except where the City Council is a party to the discussion and decisions. Futhermore, the estimate of interest and Revenue Anticipation Notes as shown herein, is not to be interpreted as a validation of these notes, now to estop the Council or any citizen from bringing suit to test their validity. As a matter of general information the Council wants the following information made known to the public.

The total debt of the City represented by notes and bonds is approximately $22,158,000.00, as shown by the attached tabulation, the Floating indebtedness amount to slightly more than $800,000 making a total of about $23,000,000. In addition to this about two-thirds of the County debt amounting to $28,000,000 rests on City property, thus making a total debt on City property amounting to approximately 40% of the valuation. A tax rate, as shown by the attached schedule would mean confiscation of property even for the City debt, without consideration of the County burden, if all legal requirements were adhered to. Of the City taxes amounting to $1,650,000 for the year 1931, only $824,000 has been collected to date. No Principal or interest has been paid for several months on the City's debt, totals of which can be seen on the schedule.

We see no way to start off the new budget year with the possibility of meeting debt requirements as they become due without some method of financing the budget, and this can only be accomplished by an agreement with those who now hold the City's security, which agreement together with a plan for future financing would elicit confidence in the minds of the tax paying public, that the situation here will be met upon a fair and equitable basis, considering all conditions.

With the depressed condition of business and real estate in Asheville, together with the general attitude of the public, the Council has come very definitely to the conclusion that this problem must be approached upon a basis which will not only relieve the tax payers temporarily, but give them definite assurance of continued control of the tax rate in the years to come. Temporary expediency would not solve the situation in a way that would elicit enthusiasm or confidence, even though it might be temporarily relieving in its effect. To pay interest on the entire indebtedness with the principal deferred to a future time would have the tendency of blocking progress, and deferring a bad condition to a time in which no one is in a position to say that the City will be better off. Neither does it save the tax payer anything in the long run, but makes him pay more.

The Council wishes to work the problem out in harmony with the security holders and of such investors in the following manner:

Would it be better for the investor to demand full payment of all interest and principal, with the almost certainty of default; or an adjustment with greater assurance of prompt payment?

In the first instance, the Council realizes that with constant defaulting, the small investor would be at the mercy of the large investor who could buy City securities at a tremendous discount, thereby making between 8 and 12% interest thereon at the present market prices; and furthermore, it would create for the state a rather serious condition. On the other hand, if the interest rate were adjusted downward where the annual payment could be met with practical assurance, the samll investor would be protected, and the price of securities on themarket stabilized.

The Council realizes further, that to continue an uncertain condition places advantage in the hands of the speculator, who will use every means possible to force the tax payer into a difficult position, using the City Council under the laws, as his instrument. The Council after full and careful consideration reaches the conclusion that negotiations should be entered into, which would permit the City to pay 3½% on all its indebtedness for a period of five (5) years, that back taxes, after taking care of teachers salaries, and revolving fund, together with any assessments which might come into its possession, would apply to the curtailment of the principal; and that as soon as practicable, a new series of bonds be issued to replace all indebtedness on a 4% basis. This would enable the City to guarantee to the citizens and tax payers a fair, stabilized tax rate, and hope for the future; and for the investor stabilization of his investment.



There are certain barriers to the accomplishment of this over which the Council has not control. The Council does not have in mind the repudiation of any portion of the principal that is a legal obligation of the City, and merely suggests a common sense and safe reduction in interest.

It appears that on April 28, 1931, the Commissioners of the City of Asheville, the County Commissioners, and the Buncombe County Board of Education, agreed with the Noteholders to re-issue all Revenue Anticipation Notes at a 4½% interest rate, interest payable semi-annually, with the principal payable in 1936. The City had $4,720,000 of these, the County $2,815,000, and the County Board of Education $1,110,000 making a total of $8,685,000.

It appears in this agreement that these notes will become immediately payable at the option of the Noteholders, if any one of the units defaults, or if a higher interest rate were paid for any obligation which might be entered into for a term of less than five years. The Council had no part in making this agreement, and it does not feel that it is prohibited from asking for an amendment thereto, in which the Council has the right to ask for a lower interest rate, provided other security holders accept the same as a stabilizing and fair adjustment.

Another barrier is the fact that the Council could be considerably embarrassed if they did not place in the budget an amount equal to the full demand of outstanding legal debt obligations. In fact recent legislative acts have so tied the hands of the City Council as to put them in a position of confiscating their entire property holdings, unless it acts as an instrument through which security holders, regardless of whether they have purchased securities at 50¢ on the dollar, or otherwise, may make the public attempt to pay, or subject their property to confiscation. The Council is thoroughly convinced that this matter should be settled as early as possible upon a basis of a complete plan, which does not defer to future years uncertain financial burdens which would be a cankering influence from both a political and business standpoint.

The City Council will naturally protest any attempt to so reduce the budget for city operation that it will destroy the security of the investors evidenced by lack of sanitation, public safety, or preservation of public property, and thereby creating discontent and abandonment in the ranks of the tax paying citizen.

Councilman Wamboldt expressed the belief that this plan would enable the City to carry its financial burden without confiscation of property and would enable the City to continue progress.

CITY OF ASHEVILLE
1931-32
DEBT SERVICE REQUIREMENTS
EXCLUSIVE OF SINKING FUND REQUIREMENTS.....

| BASED UPON REGULAR INTEREST AND MATURITY | OUTSTANDING | PRINCIPAL CURRENT | PRINCIPAL IN DEFAULT | INTEREST CURRENT | INTEREST IN DEFAULT | TOTAL | TEN MONTHS | TWO MONTHS |
|---|---|---|---|---|---|---|---|---|
| BONDS | | | | | | | | |
| BOND ANTICIPATION NOTES | 14 586 000 00 | 435 180 00 | 129 880 00 | 704 404 50 | 200 267 75 | | | |
| REVENUE ANTICIPATION NOTES | 2 765 000 00 | 350 000 00 | 65 000 00 | 153 650 00 | 65 812 50 | | | |
| SUNDRY NOTES | 4 760 000 00 | 780 000 00 | 3980 000 00 | 224 062 50 | 218 759 84 | | | |
| | 47 416 66 | 14 000 00 | 1 416 66 | 2 845 00 | 1 783 00 | | | |
| | $22 158 416 66 | 1579 180 00 | 4176 296 66 | 1094 962 00 | 486 623 09 | $7 337 061 75 | $6 114 281 21 | $1 222 843 54 |

| BASED UPON COMPROMISE INTEREST RATE OF 4-1-4 PERCENT ON REVENUE ANTICIPATION LOANS-REGULAR INTEREST AND MATURITY ON OTHER INDEBTEDNESS | | | | | | | | |
|---|---|---|---|---|---|---|---|---|
| BONDS | | | | | | | | |
| BOND ANTICIPATION NOTES | 14 586 000 00 | 435 180 00 | 129 880 00 | 704 404 50 | 200 267 75 | | | |
| REVENUE ANTICIPATION NOTES | 2 765 000 00 | 350 000 00 | 65 000 00 | 163 650 00 | 65 812 50 | | | |
| SUNDRY NOTES | 4 760 000 00 | 780 000 00 | 3980 000 00 | 202 300 00 | 218 759 84 | | | |
| | 47 416 66 | 14 000 00 | 1 416 66 | 2 845 00 | 1 783 00 | | | |
| | $22 158 416 66 | 1579 180 00 | 4176 296 66 | 1073 199 50 | 486 623 09 | $7 337 061 75 | $6 114 281 21 | $1 222 843 54 |
| | | | | | | $2 555 299 25 | $2 129 461 04 | $ 425 883 21 |

| BASED UPON COMPROMISE INTEREST RATE 3 1-2 PERCENT ON PRINCIPAL OF DEBT IN DEFAULT | | | | | | | | |
|---|---|---|---|---|---|---|---|---|
| BONDS | | | | | | | | |
| BOND ANTICIPATION NOTES | $-4 536 000 00 | | | | | | | |
| REVENUE ANTICIPATION NOTES | 2 765 000 00 | | | | | | | |
| SUNDRY NOTES | 4 760 000 00 | | | | | | | |
| | 47 416 66 | | | | | | | |
| | $22 158 416 66 | | | | | $ 775 544 58 | $ 646 287 15 | $ 129 257 43 |

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|---|---|---|---|
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CITY OF ASHEVILLE
1931-32 DEBT SERVICE REQUIREMENTS
EXCLUSIVE OF SINKING FUND REQUIREMENTS

| | OUTSTANDING | PRINCIPAL CURRENT | INTEREST CURRENT | PRINCIPAL IN DEFAULT | INTEREST IN DEFAULT | TOTAL | TAX RATES |
|---|---|---|---|---|---|---|---|
| BASED UPON REGULAR INTEREST AND MATURITY | | | | | | | |
| BONDS | $15 976 449 79 | 457 312 68 | 331 254 71 | 134 016 72 | 356 403 07 | | |
| BOND ANTICIPATION NOTES | 2 765 000 00 | 350 000 00 | 163 650 00 | 65 000 00 | 65 812 50 | | |
| REVENUE ANTICIPATION NOTES | 4 760 000 00 | 780 000 00 | 284 062 50 | 3990 000 00 | 243 759 94 | | |
| SUNDRY NOTES | 47 416 66 | 14 000 00 | 2 345 00 | 1 416 66 | 1 733 10 | | |
| | $23 543 866 45 | 1 601 312 68 | 781 312 21 | 4130 433 38 | 642 758 41 | $ 7 536 316 68 | $ 36 23 |



8.

The Institutional Service Committee, composed of Mr. Herbert Allen, Miss Ethel Kirkby and Miss Fannie M. McCoy, appeared before the Council and filed complaints against the Associated Charities and the Good Samaritan Mission.

This matter was referred to the Committee on Charities, composed of Messrs. Devendorf, Brookshire and Britt for investigation and report.

Mr. Swartz made a proposition to render services to the City of Asheville in an effort to produce better smoke conditions.

Mr. Smith moved, seconded by Mr. Devendorf, that this matter be referred to the City Manager.

Mr. Rigsby read report from the Corporation Counsel in regard to claim of Ruby Smith for damages, in which he reports there is no legal liability.

The report was unanimously adopted by the Council, on motion of Mr. Britt, seconded by Mr. Smith.

August 22, 1931.

Mr. Gerald Cowan,
Director of Public Works and
Public Safety.

Asheville, N. C.

Dear Mr. Cowan:-

IN RE: RUBY SMITH

I am returning you papers in this matter for the purpose of enabling you to report to the Council that there is no legal liability, so that proper records can be made.

The case is in all respects similar to that of James v. City of Charlotte, 193 N. C., p. 630, where a boy was hurt by a garbage truck, and the Supreme Court held there was no liability, as the City was engaged in performance of a governmental function.

Very truly yours,

J. G. Merrimon
Corporation Counsel.

JGM-W
Encls.

Mr. C. F. Fleming made a request for permission to have busses which he operates to operate between Asheville and WestAsheville make stops on Park Square. This request was on motion of Dr. Brookshire, seconded by Mr. Britt, referred to the City Manager.

There being no further business, the meeting, on motion, adjourned.

Mayor

City Clerk.

Thursday, September 3, 1931- 4:30 P. M.

The City Council met in regular session; Mayor Green presiding. Present: Councilmen: Wickes Wamboldt, Frank S. Smith, Louis Lipinsky, Julian A. Woodcock, Ottis L. Green, H. G. Brookshire, Wilbur Devendorf, Plott Boyd and W. C. Britt, City Manager R. W. Rigsby and Corporation Counsel, J. G. Merrimon. The minutes of the previous meeting were read and approved.

A communication from the Asheville Central Labor Union requesting the Council to declare Monday, September 7, 1931 a holiday was read and Mr. Woodcock moved, seconded by Mr. Wamboldt, motion unanimously carried that Labor Day be declare a holiday for all departments of the City of Asheville.

Fortune & Fortune, Atty for Willie Pass Griffin, Etta Pass, Erlease Pass, Ben Pass and the First National Bank & TrustCompany,Guardian for Arline Pass, Theodore Pass and James Pass filed claim by reason of paymen of benefits paid on opening and widening of Marjorie Street because said street has not been opened, widened or extended.

Mr. Woodcock, moved, seconded by Mr. Smith and unanimously adopted that this matter be referred to the City Manager.

TO THE HONORABLE MAYOR AND BOARD OF COUNCILMEN
OF THE CITY OF ASHEVILLE, NORTH CAROLINE:

The undersigned, as Attorney for Willie Pass Griffin, Etta Pass, Erlease Pass, Ben Pass, and the First National Bank & Trust Company, Guardian for Arline Pass, Theodore Pass, and James Pass, hereby presents claim and demand in writing to your Honorable Body for the sum of Four-thousand Three-hundred Eighty-seven and Fifty One-hundredths ($4,387.50) Dollars, with interest thereon from the 12th day of April, 1927, until paid, due the said parties hereinbefore mentioned by reason of payment on aforementioned date of benefits to lot #238 in the sum of One-thousand Three-hundred Eighty-seven and Fifty One-hundredths ($1,387.50) Dollars, assessed by Jury on account of the opening and widening of Marjorie Street, receipt of which payment was made by Secretary-Treasurer of said City of April 12, 1927, by check payable to the City of Asheville executed by R. H. Luther, Fuardian in the amount of Four-thousand Three-hundred Eighty-seven and Fifty One-hundredths ($4,387.50) Dollars, which check was paid on April 13, 1927, for that said street has not been opened, widened, or extended in accordance with condemnation proceeding and the assessment lodged against said property and for which payment was made. The action on the part of said City of Asheville constitutes a taking of the amount of Four-thousand Three-hundred Eighty-seven and Fifty One-hundredths ($4,387.50) Dollars for public use without compensation therefor, and that the said City of Asheville is liable in the amount hereinbefore set forth, demand for paymentof which is hereby made and notice is hereby given that unless this claim is paid within the time allowed by by statute, an action will be instituted and maintained against said City upon said claim for the amount hereinbefore set forth.

Respectfully submitted,
Fortune & Fortune
Attorney
for Willie Pass Griffin, Etta Pass, Erlease Pass, Ben Pass, and the First National Bank & Trust Company, Guardian for Arline Pass, Theodore Pass, and James Pass.

A communication from residents on Howland Road in regard to property on Howland Road owned by Mr. Stanley Howland being deeded to the City for park purposes upon receipt of a quit-claim deed was on motion of Mr. Woodcock, seconded by Mr. Boyd referred to the City Manager.

A petition signed by property owners and taxpayers on Swannanoa Avenue, West Asheville, requesting that the name be not changed was on motion of Mr. Devendorf, seconded by Mr. Smith referred to the City Manager for report.



To the Honorable Mayor and Councilmen of the City of Asheville:

Gentlemen:

We, the undersigned property owners and taxpayers living on Swannanoa Avenue in WestAsheville request that the name of Swannanoa Avenue not be changed to any other one; as there is no other Swannanoa Avenue in Asheville at the present time, and this street has been known as Swannanoa Avenue for the past 25 years.

Mrs. C. B. Weir
C. B. Weir
J. E. Henderson
C. J. Ingle
Mrs. C. J. Ingle
George W. Bryson
Mrs. Geo Bryson
Mrs. F. E. Pressley
Mr. F. E. Pressley
Mr. S. O. Taylor
Mrs. S. O. Taylor
Mrs. Paul F. Pittillo
Mr. Paul F. Pittillo
C. A. Stafford
Mrs. E. L. Sinclair
Mr. E. L. Sinclair
C. A. Byers
Mrs. C. A. Byers
E. M. Bennett
Mrs. E. M. Bennett
Mrs. C. G. Phillips
Mr. C. G. Phillips
Robert E. Shuford
John H. Parris
Mrs. John H. Parris
W. E. Shuford
R. M. Miller
Mrs. R. M. Miller
Mrs. R. C. Jenkins
Mrs. M. E. Ingram
Mrs. B. M. Edwards
Mrs. W. P. Cook
Em. M. Sumner
Mrs. E. M. Sumner
Mrs. L. J. Briggs
Mrs. J. E. Henderson
A. D. Ramsey
Mrs. A. D. Ramsey
Mrs. B. H. Shirlin
B. H. Shirlin
R. W. Ingle
Mrs. R. W. Ingle
Mrs. [illegible] L. Wike
Mr. [illegible] L. Wike
W. Price Cook
Mr. W. B. Plemmons
Mrs. W. L. Plemmons
Mr. G. B. Lewis
Mrs. G. B. Lewis
A. F. Moore
Mrs. A. F. Moore
G. R. Owens
Mrs. C. A. Morgan
Zona Owen
Mrs. [illegible] Patton
Mr. and Mrs. J. [illegible]
G. W. Ingle
Mrs. G. W. Ingle
Mr. and Mrs. Geo H. [illegible]

A communication from the Official Social Service Committee of Buncombe County requesting that the Lindley Training School be run as a training school or as a home for dependent girls instead of for delinquent girls was read and on motion of Mr. Wamboldt, seconded by Mr. Smith referred to the City Manager.

August 31, 1931.

To the members of the City Council of Asheville, N. C.

Gentlemen:

The Official Social Service Committee of Buncombe County having been visiting the Lindley Training School for some time, wish to make the following statement:

First: That the Social Service Committee wishes to heartily endorse the action of the Institutional Service Committee in going on record at their last meeting to have The Lindley Home as a Home for Dependent Girls instead of Delinquent Girls. We realize how many girls, because of circumstances over which they they have no control, are put there when they are not bad girls.

Second: If the Council think it unwise to change the Institution, the Social Service Committee of Buncombe County would suggest that it be run as a Training School, having a curriculum mapped out that would be beneficial to the girls and have girls sent there for a period long enough that they would be trained and be better girls when they come out, having learned something along Spiritual, educational and domestic lines. The place is kept clean and good food served, but let it be what it's name implies, a training school instead of a prison.

Mrs. W. S. McNary
Mrs. A. C. Rhudy
Mrs. G. T. Bond
Social Service Committee
for the Lindley Home.

The report of the Committee on Charities in regard to investigation of the complaints against the Associated Charities and recommendation concerning the Good Samaritan Society made by the Institutional Service Committee was read, recommending that the matter be referred to the Board of Directors of the Community Chest, with the suggestion that a committee be appointed by their body to investigate these charges.

Mr. Smith moved, seconded by Mr. Boyd that this report be adopted.

Members of the Institutional Service Committee appeared before the Council and opposed the adoption of this report.

Mr. Smith withdrew his motion, and Mr. Lipinsky moved, seconded by Mr. Smith that the report be amended by adding that the Council request that they make an investigation and report their findings to the Council. This motion was unanimously carried.

September 3, 1931.

Hon. Ottis Green
City Hall
Asheville, N. C.

Dear Sir:

At the meeting of the City Council August 27, 1931 you referred to the Committee on Charities, a report from the Institutional Service Committee. This report makes charges against the Associated Charities and recommendations concerning the Good Samaritan Mission.

Your Committee is of the opinion that the Council has no authoritu in this matter, at least no more authority than any other contributor to the Community Chest.

Therefore we recommend that this matter be referred to the Board of Directors of the Community Chest, with the suggestion that a committee be appointed by their body to investigate these chargees.

Respectfully submitted,

Wilbur Devendorf
Walter C. Britt
H. G. Brookshire
Committee.

Mr. Rigsby reported the following tabulation of bids received for the razing and removal of old Post Office Building:

| | |
|---|---|
| Elliott Building Company, Hickory, N. C. | 6,000.00 |
| Taylor and Childers, Asheville, N. C. | 5,700.00 |
| Robinson Brothers, Inc., Asheville, N. C. | 2,450.00 |

It was decided to postpone the award of contract until a later date.

Mr. Rigsby in reporting his investigation of the ~~claim~~ request of Margaret O. Jarrett for relief from sewer assessments on Louisiana Avenue, Herron Avenue, Pinellas Avenue, and Smith Mill Creek read the opinion of the Corporation Counsel in which he stated the Council has no power to make the reduction requested under the circumstances existing.

August 28, 1931.

Mr. R. W.Rigsby,
City Manager
Asheville, N. C.

Louisiana Avenue,
Herron Avenue,
Pinellas Avenue,
Smith Mill Creek
Sewer Assessments-Margaret O. Jarrett

Dear Mr. Rigsby:

I am handing you herewith application of Mrs. Margaret O. Jarrett for relief from sewer assessments as indicated above.

So far as I am advised, these assessments were regularly and properly made and no appeal was taken therefrom.

The Engineer's report shows that the whole property is susceptible to benefit therefrom and that they will be of service in the event of future development, and recommends that the request for cancellation be refused.

In this letter recommendation I concur.

In the case of McClester V. China Grove, 196 N. C., 301, the facts were quite similar, and the Court said: "The question for decision is whether the new Board of Aldermen, under the circumstances disclosed by the record, had the authority or power to grant a reduction of rebate of 25% of the original assessment. We think not". In Mrs. Jarrett's case, she has recognized the assessment by paying on some of them, and I take it that other property owners have paid on their assessments- perhaps some of them in full.

I am of opinion that this Board has no power to make the reduction requested under the circumstances existing.

Very truly yours,
J. G. Merrimon
Corporation Counsel.

JGM-w



Mr. Rigsby in reporting upon the request of the city school board that the city schools be exempt from water charges, stated that all departments of the city and the board using city water should be charged for the water used.

On motion of W. C. Britt, seconded by Frank S. Smith, the following was unanimously adopted:

RESOLVED, that the Council hereby request the Board of Financial Control for Buncombe County to approve the issuance of notes of the City of Asheville in an aggregate amount not exceeding $4,905,960.58 for the purpose of renewing and extending the time of payment of the principal and interest of $4,750,000.00 of outstanding Revenue Anticipation Notes of the City of Asheville, described in the following schedule:

| Amount | Numbers | Date | Last Maturity | Interest Rate |
|---|---|---|---|---|
| 120,000 | 1-12 | June 11, 1930 | April 15, 1931 | 4% |
| 105,000 | 1-21 | July 1, 1930 | Jan. 1, 1931 | 4 |
| 110,000 | 1-22 | July 21, 1930 | April 20, 1931 | 4 |
| 100,000 | 1-20 | Aug. 1, 1930 | March 28, 1931 | 4 |
| 100,000 | 1-20 | Aug. 15, 1930 | Feb. 15, 1931 | 4 |
| 150,000 | 1-30 | Sept. 2, 1930 | March 2, 1931 | 4 |
| 350,000 | 1-35 | Sept. 2, 1930 | May 30, 1931 | 5 |
| 140,000 | 1-14 | Sept. 2, 1930 | March 10, 1931 | 4 |
| 880,000 | 1-88 | Sept. 2, 1930 | Sept. 1, 1931 | 5 |
| 500,000 | 1-50 | Sept. 5, 1930 | Sept. 1, 1931 | 4 |
| 400,000 | 1-40 | Sept.12, 1930 | June 15, 1931 | 4 |
| 400,000 | 1-40 | Sept.15, 1930 | April 15, 1931 | 4 |
| 800,000 | 1-80 | Oct. 1, 1930 | April 15, 1931 | 4 |
| 300,000 | 1-30 | Oct. 15, 1930 | April 15, 1931 | 4 |
| 295,000 | A2-A31 | Oct. 15, 1930 | April 15, 1931 | 4 |
| 4,750,000 | | | | |

A petition signed by property owners on Delaware Road in Kenilworth, now Castle Street, requesting that the name be changed to Staunton Street was referred to the City Manager.

The action of the mass meeting held at Woodfin High School on August 28, 1931 and at Aycock School on September 1, 1931 were received and ordered filed.

The request of Mrs. M. H. Harris that her tenant be allowed to pay privilege tax to conduct a pool room in monthly payments was on motion of Mr. Woodfork, seconded by Mr. Smith referred to the Corporation Counsel.

There being no further business, the meeting, on motion adjourned.

Mayor

City Clerk.

Thursday, September10, 1931- 4:30 P. M.

The City Council met in regular session; Mayor Green presiding. Present: Councilmen, Frank S. Smith, Wickes Wamboldt, Julian A. Woodcock, Louis Lipinsky, Ottis L. Green, Plott Boyd, W. C. Britt, H. G. Brookshire and Wilbur Devendorf, City Manager, R. W. Rigsby and Corporation Counsel, J. G. Merrimon. The minutes of the previous meeting were read and approved.

The claim of Leroy Jenkins, through his attorney, Charles A. McCrea, for damages on account of injuries sustained by reason of a fall on sidewalk on Market Street, was on motion of Mr. Devendorf, seconded by Mr. Smith, referred to the Corporation Counsel.

Asheville, N. C., September 8, 1931.

CITY OF ASHEVILLE:

ATTENTION: Mr. Cowan.

In compliance with law the undersigned, through his attorney, Charles A. McCrea, reports the following accident and injury:

Leroy Jenkins, your complainant, who lives at No. 63½ Blanton Street in the City of Asheville, was, on September, 7, 1931, walking on and along the sidewalk on Market Street in said City opposite and at the building known and designated as "The Jackson Building. That the City of Asheville and the owners of said Jackson Building maintain, keep and use a coal chute on said sidewalk where pedestrians walk in the usual way and it was while the said Leroy Jenkins was walking at and along on this sidewalk that he stepped on the chute cover already referred to and was severly injured by reasonof the fact that one side of the cover tilted down or otherwise slipped beneath the footing of the said Leroy Jenkins, causing him to fall violently to the sidewalk at the same time his right leg and foot was caught in the chute. Leroy Jenkins suffered severe injuries to his right leg and foot and by reason of the fall thus sustained and is confined to his bed and has placed himself under the car and attention of a reputable physician.

Leroy Jenkins has been seriously and permanently injured by reason of the things set out above and claims damages against the City of Asheville in the amount of $2000.00.

This the 8th day of September, 1931.

LEROY JENKINS,

By Charles A. McCrea

Attorney for Leroy Jenkins.

Mr. Rigsby reported the appointment of H. E. Davis as City Accountant.

In reporting on investigation of the petition requesting that the name of Swannanoa Avenue, West Asheville, be restored, Mr. Rigsby recommended that Swannanoa Drive running along the Swannanoa River retain the name of "Swannanoa" and the original change in the ordinance be retained.

On motion of Mr. Woodcock, seconded by Mr. Britt, the report of the City Manager was unanimously adopted.

September 9, 1931.

REPORT OF PETITION REQUESTING THAT THE
NAME OF SWANNANOA AVENUE BE RESTORED.

At the time the ordinance was passed changing street names, the following conflicting names were among those considered:

| Old Name | From | to | Changed to |
|---|---|---|---|
| Swannanoa Ave. | Haywood Rd. | State St. | Aylmer Ave. |
| Swannanoa St. | Chiles Ave. | Weschester Dr. | Ravenna St. |
| Swannanoa Drive | Biltmore Ave. | Swannanoa | Unchanged. |

It appears, therefore, that Swannanoa Avenue was changed to Aylmer Avenue under a petition filed at the time this matter was being considered. We note that the new petition requesting that Swannanoa Avenue be not changed, contains 13 names that were on the original petition. The ordinance covering the matter of changing street names was well advertised in order that everyone would be given amply opportunity to make suggestions and complaints at that time, and though it is quite true that Swannanoa Avenue has been in existence under this name for sometime, it is also true that Swannanoa Drive from Biltmore Avenue along the Swannanoa river has been in existence even longer, and to retain both of these names would create a conflict which should be eliminated.

While I would be glad to recommend that the petitioners be given their request, I cannot do so without being faced with the possibility of complaint from streets of equal importance that comflict with this name, and I therefore, recommend that Swannanoa Drive running along the Swannanoa River retain the name of "Swannanoa" and the original change in the ordinance be retained.

R. W. Rigsby.

Mr. Rigsby, in reporting on his investigation of the petition requesting the change of name of Castle Street, stated he could not find sufficient justification at this time to rename this street and suggested that the petition be filed.

September 9, 1931.

REQUEST BY PETITION SIGNED BY FIVE RESIDENTS
TO CHANGE NAME OF CASTLE STREET.

I have reviewed the matter of the petition which alleges that the signers wish the new name recently adopted, changed to Staunton Road, whereas the Council has just recently passed an ordinance changing the name from Delaware Road to Castle Street.

In general, it is bad practice to change the name of streets, unless there is something to justify such a change. The changes recommended in the recent ordinance were made necessary because there were duplicate names within the City limits. There was ample opportunity given in this instance, as in others, for people to make any complaint or suggestion relative to this street. I cannot find, therefore, sufficient justification at this time for renaming this street, and suggest that the petition be filed.

R. W. Rigsby

Mr. Smith moved, seconded by Dr. Brookshire, that the report of Mr. Rigsby be adopted.

Mr. Rigsby reported upon his investigation of the request that the City accept quit claim deed to park land intersection Howland Road and Miramonte Avenue, and recommended that the City accept this property.

Mr. Woodcock moved, seconded by Mr. Devendorf, and unanimously carried, that the recommendation of the City Manager be adopted.

Sept. 9, 1931.

REQUEST THAT THE CITY ACCEPT QUIT CLAIM DEED TO
PARK LAND INTERSECTION HOWLAND ROAD AND MIRAMONTE AVE.

It appears that the residents in the vicinity of Howland Road and Miramonte Avenue have asked the City Council to accept quit claim deed covering a small park area at the intersection of Howland Road and Miramonte Avenue. This tract was deeded to the public by a plat which is recorded in the office of the Register of Deeds of Buncombe County, in plat book 198, page 171. The City, however, has not accepted title to the property, or maintained the area as a park, according to a statement of the City Engineer, under date of September 5th, as follows:

"No taxes or special assessments have been levied against the park property. The Howland Road and Miramonte Avenue paving assessments for the frontage abutting on the park were assumed by the City. Since the park is not listed for taxes and has not lot number, no taxes will accrue against the property in the future.

The park is thickly covered with shrubbery and underbrush. The south side of the property has steep banks and there is a considerable difference in elevation between the north and south sides of the tract."

I see no reason why the City should not accept quit claim deed to this property, and so recommend.

R. W. Rigsby.

Mr. Rigsby recommended the payment of$1650.00 fees to attorneys employed by former administration to handle the matter of collection of collateral submitted by Luke Lea. He also stated that the Corporation Counsel had approved these bills.

It was moved by Mr. Woodcock, seconded by Mr. Lipinsky and unanimously carried, that the recommendation of the City Manager be adopted.

Sept. 9, 1931.

REPORT ON ATTORNEYS FEES AND EXPENSES IN CONNECTION WITH COLLECTION OF COLLATERAL OF LIKE LEA.

It appears that the former administration employed T. G. McConnell and K. G. McConnico, and were promised a total of $1000.00 for attorney's fees to handl the matter of collection of the collateral submitted by Luke Lea.

It appears further in this connection, and without any specific authorization from the City, that attorney McConnico made minute examination of titles of Mr. Lea's property which cost $1300.00. Of this amount the State has paid $650.00, leaving a total of $650.00 to be paid presumably by the City, which is interested in this collateral. In this connection I have received from Mr. J. G. Merrimon, Corporation Counsel of the City, approval of these bills. I have also received a letter from Mr. I. M. Bailey of Raleigh, in which he says that it will be very embarrassing for them to proceed with the recovery of the collateral, using attorneys that are familiar with this work, unless the bills therein in question are taken care of. It is therefore, recommended that the City take care of these bills as soon as possible.

Mr. Rigsby reported he had received an application from E. W. Pearson for permission to hold the Annual Agricultural Buncombe Co. colored fair in the City on September 21 to 26, the Bunts Amusement Exposition company to furnish shows on the Midway, together with a parade and band concert on the streets of the city.

A communication from the Corporation Counsel stating that according to statutes the city may appropriate not to exceed $100 to aid any agricultural exhibition and as the city license tax of $400.00 will be paid by noon Sept 21st, he suggested that the City give Pearson credit of $100.00.

It was moved by Mr. Smith, seconded by Mr. Devendorf that the recommendation be adopted.

A communication from the Corporation Counsel in regard to the request of Mrs. M. H. Harris that her tenant be permitted to pay license tax to operate a pool room in monthly instalments was read. Mr. Merrimon recommended that the tax required should be paid in some way satisfactory to the City before the license was issued to the applicant. Moved by Mr. Lipinsky, seconded by Mr. Smith that the recommendation of Corporation Counsel be adopted.

Mr. Rigsby made a report that due to the change in the fiscal year no penalty had been collected for non-payment of privilege license taxes and he recommended that the date when penalties become effective be changed to October 1st.

The expense account of the Board of Financial Control for the month of August, 1931 was approved for payment in the amount of $2,301.42

There being no further business, the meeting recessed until Wednesday, Sept. 14, at 10 o'clock, A. M.

Mayor

City Clerk.



Wednesday, September 16, 1931

The City Council reconvened after recess: Vice Mayor Lipinsky presiding. Present: Councilmen, Plott Boyd, W. C. Britt, H. G. Brookshire, Wilbur Devendorf, Louis Lipinsky, Frank S. Smith, Wickes Wamboldt and Julian A. Woodcock and City Manager R. W. Rigsby.

Vice Mayor Lipinsky announced that the meeting was for the purpose of considering the refinancing of notes, but as the Council had been unable to confer with Mr. Hoyt, there was no business. Mr. Woodcock moved, seconded by Mr. Devendorf that the meeting adjourn.

Mayor

City Clerk.

Thursday, September 17, 1931 12 M.

The City Council met in regular session: Mayor Green presiding. Present: Councilmen, Wilbur Devendorf, Julian A. Woodcock, Otis B. Green, Wickes Wamboldt, W. C. Britt, Frank S. Smith, Plott Boyd, and Louis Lipinsky, City Manager R. W. and Corporation Counsel, J. G. Merrimon. The minutes of the previous meeting were read and approved.

An ordinance requiring every person moving or transferring household goods or other personal effects in the City of Asheville to report the same to the City Clerk within twenty-four hours after such removal was presented by a committee of the Merchants Association.

Mr. Lipinsky moved, seconded by Mr. Wamboldt that the ordinance be passed, but upon being put to a vote the motion did not carry and the ordinance was referred to the Corporation Counsel for approval.

A communication from the Secretary of the International City Managers' Association extending invitation to the Council and the City Manager to attend the Eighteenth Annual Conference to be held in Louisville, Ky. October 5th, 1931 was read,

Moved by Mr. Woodcock, Seconded by Mr. Lipinsky, unanimously carried that the City send the City Manager and the Mayor to the Convention.

The Church of God, a religious group, requested permission to hold religious services on the street. This matter was referred to the City Manager.

A resolution passed by the Board of Financial Control for Buncombe County at a meeting on September 17, 1931 approving the purpose and maximum amount of the proposed issues of notes of the City of Asheville described in a resolution adopted by the Council on September 3, 1931 requesting the Board of Financial Control to approve the issuance of the notes in an aggregate amount not exceeding $4,905,000. for the purpose of renewing and extending the time of payment of the principal and interest of $4,750,000 of outstanding revenue anticipation notes of the City was presented to the Council.

County of Buncombe
State of North Carolina }

RESOLVED that the Board of Financial Control for Buncombe County hereby approves the purpose and maximum amount of the proposed issues of notes of the City of Asheville described in a resolution adopted by the Council of said City on September 3, 1931, which resolution requested the Board of Financial Control to approve the issuance of the notes of the City of Asheville in an aggregate amount not exceeding $4,905,000.00 for the purpose of renewing and extending the time of payment of the principal and

interest of $1,750,000 of outstanding revenue anticipation notes of the City of Asheville.

I hereby certify this to be a true copy of a resolution passed by the Board of Financial Control for Buncombe County at an adjourned regular meeting September 17, 1931.

H. Grady Reagan
Sec. of the Board of Financial Control.

A resolution authorizing the renewal of outstanding Revenue Anticipation Notes of the City of Asheville, introduced by Councilman Frank Smith, seconded by Councilman Julian Woodcock was read as follows:

A RESOLUTION AUTHORIZING THE RENEWAL OF OUTSTANDING REVENUE ANTICIPATION NOTES OF THE CITY OF ASHEVILLE.

WHEREAS, there are now outstanding $4,750,000 of Revenue Anticipation Notes of the City of Asheville, comprising the entire amount of fourteen different note issues of a fifteenth note issue, the amounts, serial numbers, dates, dates of last maturity, and interest rates of which are as follows:

| Amount | Numbers | Date | Last Maturity | Interest Rate |
|---|---|---|---|---|
| $ 120,000 | 1-12 | June 11, 1930 | Apr. 15, 1931 | 4½% |
| 105,000 | 1-21 | July 1, 1930 | Jan. 1, 1931 | 4½% |
| 110,000 | 1-22 | July 31, 1930 | Apr. 20, 1931 | 4½% |
| 100,000 | 1-20 | Aug. 1, 1930 | Mar. 25, 1931 | 4½% |
| 100,000 | 1-20 | Aug. 15, 1930 | Feb. 15, 1931 | 4½% |
| 150,000 | 1-30 | Sept. 2, 1930 | Mar. 2, 1931 | 4½% |
| 350,000 | 1-35 | Sept. 2, 1930 | May 30, 1931 | 5 % |
| 140,000 | 1-14 | Sept. 2, 1930 | Mar. 10, 1931 | 4½% |
| 880,000 | 1-88 | Sept. 2, 1930 | Sept. 1, 1931 | 5 % |
| 500,000 | 1-50 | Sept. 5, 1930 | Sept. 1, 1931 | 5 % |
| 400,000 | 1-40 | Sept. 12, 1930 | June 15, 1931 | 4½% |
| 400,000 | 1-40 | Sept. 17, 1930 | Apr. 15, 1931 | 4½% |
| 800,000 | 1-80 | Oct. 1, 1930 | Apr. 15, 1931 | 4½% |
| 300,000 | 1-30 | Oct. 15, 1930 | Apr. 15, 1931 | 4½% |
| 295,000 | A2-A31 | Oct. 15, 1930 | Apr. 15, 1931 | 4½% |
| $4,750,000 | | | | |

AND WHEREAS, all of said notes evidence indebtedness of the City of Asheville incurred before January 1, 1931 for necessary expenses of said City; and

WHEREAS, all of said notes are now due and payable and no part of theprincipal or interest has been paid, and the City is without available funds for their payment; and,

WHEREAS, it appears that the legal title to said notes has become vested in a Committee (hereinafter called the "Noteholders' Committee") constituted under an agreement dated March 28, 1931 between (1) Wallace Benedict, E. H. Alden and F. J. Rue and (2) holders of notes of the City of Asheville, Buncombe County, and the Board of Education of Buncombe County, who have deposited such notes with the Depositary of said Committee under the terms of said agreement; and

WHEREAS, the Noteholders' Committee has agreed to an extension of the time for the payment of the principal and interest of said $4,750,00 of Revenue Anticipation Notes of the City of Asheville, and also to a reduction in the rate of interest payable on the undebtedness by said notes, in accordance with the provisions of this resolution; and

WHEREAS, Section 2933 of the Consolidated Statutes of North Carolina, (being a part of the Municipal Finance Act, 1921), as amended by Section 64 of the Local Government Actm provides that for the purpose of paying or renewing notes evidencing indebtedness incurred before January 1, 1931, and authorized by said Acts to be funded, any city may issue new notes from time to time until such indebtedness is paid out of revenues or funded into bonds, which new not es may be made payable at any time or times not later than five years after January 1, 1931; and

WHEREAS, the Board of Financial Control for Buncombe County, by resolution adopted September 17, 1931, approved the purpose and maximum amount of the new notes hereinafter authorized, as required by law: NOW, therefore,



Be it resolved by the Council of the City of Asheville:

Section 1. Pursuant to the authority conferred by Section [illegible] of the Consolidated Statutes of North Carolina (being a part of the Municipal Finance Act 1921), as amended by Section 64 of the Local Government Act, notes of the City of Asheville of the aggregate principal amount of $[illegible], to be known as Renewal Notes, shall be issued to the Noteholders' Committee in exchange for said $4,750,000 of outstanding Revenue Anticipation Notes of the City of Asheville, for the purpose of extendingthe time for the payment of the principal of said outstanding notes. The surrender of such notes for exchange by the Noteholders' Committee in exchange for such Renewal Notes shall not be considered as a surrender or waiver by the Noteholders' Committee of the right to demand and receive from the City of Asheville interest on such outstanding notes up to the date of the Renewal Notes for which they are exchanged. But by making such surrender of outstanding notes the Noteholders' Committee shall be deemed to agree (1) that said accrued interest shall be computed at the rates named in the surrendered notes, after maturity, (2) that the total amount of said accrued interest to be paid by the City of Asheville shall not exceed $155,900.00, and (3) that said accrued interest may be paid to the Noteholders' Committee as follows: $[illegible], thereof on or before November 1, 1931, and the remainder on or before June 30, 1932. In consideration of the surrender of such outstanding notes by the Noteholders' Committee, the City of Asheville hereby agrees that its obligation to pay said accrued interest shall be evidenced by this resolution as fully as said obligation is evidenced by said outstanding notes.

Section 2. The said $4,750,000 of Renewal Notes shall be dated May 1, 1931, except $1,180,000 thereof, which shall be dated as follows:

$350,000 of notes shall be dated May [illegible], 1931,
350,000 of notes shall be dated June 15, 1931,
480,000 of notes shall be dated Sept. 1, 1931.

All of said Renewal Notes shall mature May 1, 1931, and shall bear interest from their respective dates at the rate of four and one-quarter per cent (4¼%) per annum, payable on January 1st and May 1st, 1932. The City of Asheville reserves the right to extend the time for the payment of the principal of any of the indebtedness evidenced by said Renewal Notes by issuing new notes from tim to time in exchange for a like principal amount of outstanding notes evidencing such indebtedness, at or before the maturity of such outstanding notes, which new notes shall mature not later than January 1, 1932, and shall be of the same tenor as the notes for which they are exchanged, except as to date and date of maturity, and shall bear interest at the rate of four and one-quarter percent (4¼%) per annum, payable at least every six months.

Section 3. The principal and/or interest of any of said $4,750,000 of Renewal Notes, or any later notes evidencing the same indebtedness, may, at the option of the City ofAsheville, be paid in whole or in part before maturity.

Section 4. The principal and accrued interest of any or all of said $4,750,000 of Renewal Notes, or of any later notes evidencing the same indebtedness, shall, at the option of the Noteholders' Committee, become due and payable before maturity, upon the happening of any of the following events, viz:

(1) In the event that the City of Asheville shall default in the payment of interest on any of said notes and such default shall continue for a period of ten (10) days; or

(2) In the event that a judgment shall be recovered against said City on any bond or note evidencing indebtedness incurred for money borrowed; or

(3) In the event that said City shall issue new obligations in exchange for outstanding bonds, and such new obligations shall run for five years or less and shall bear interest after September 1, 1931, at a higher rate than four and one-quarter per cent (4¼%) per annum.

No action of the Noteholders' Committee taken in the exercise of its election to declare said notes due and payable before maturity shall become effective unless and until written notice of such action shall be given by the Noteholders' Committee, or its Chairman, to the Council or other governing body of the City of Asheville, or to the City Manager of said City. Such action may be rescinded at any time by said Committee, and upon similar notice of such rescission the original time for payment of said notes shall be restored; but upon the subsequent happening of any of said events, the notes shall again or from time to time become due and payable before maturity, at the election of said Committee, upon the same conditions and subject to the same limitations as before.

Section 5. The said $4,750,000 of Renewal Notes shall be divided into nineteen separate series or issues, to be issued in exchange for said outstanding notes, as follows:

(1) $120,000 Renewal Notes, designated Series A and dated May 1, 1931, to be issued in exchange for $120,000. 4¾% Revenue Anticipation Notes dated June 11, 1930, payable April 15, 1931, of the denomination of $10,000 each and numbered from 1 to 12, inclusive;

(2) $105,000 Renewal Notes, designated Series B and dated May 1, 1931, to be issued in exchange for $105,000. 4¾% Revenue Anticipation Notes dated July 1, 1930, payable January 1, 1931, of the denomination of $5,000 each, and numbered from 1 to 21, inclusive;

(3) $110,000 Renewal Notes, designated Series C and dated May 1, 1931, to be issued in exchange for $110,000. 4¾% Revenue Anticipation Notes dated July 31, 1930, payable April 30, 1931, of the denomination of $5,000 each, and numbered from 1 to 22, inclusive.

(4) $100,000 Renewal Notes, designated Series D and dated May 1, 1931, to be issued in exchange for $100,000. 4¾% Revenue Anticipation Notes dated August 1, 1930, payable March 25, 1931, of the denomination of $5,000 each, and numbered from 1 to 20, inclusive;

(5) $100,000 Renewal Notes, designated Series E and dated May 1, 1931, to be issued in exchange for $100,000. 4½% Revenue Anticipation Notes, dated August 15, 1930, payable February 15, 1931, of the denomination of $5,000 each, and numbered from 1 to 20, inclusive;

(6) $150,000 Renewal Notes, designated Series F and dated May 1, 1931, to be issued in exchange for $150,000. 4¾% Revenue Anticipation Notes, dated September 2, 1930, of denomination of $5,000 each, and numbered from 1 to 30, inclusive, of which $100,000 notes numbered from 1 to 20, inclusive, were payable January 15, 1931, and $50,000 notes numbered from 21 to 30, inclusive, were payable March 2, 1931;

(7) $350,000 Renewal Notes, designated Series G and dated May 30, 1931, to be issued in exchange for $350,000. 5% Revenue Anticipation Notes dated September 2, 1930, payable May 30, 1931, of the denomination of $10,000 each, and numbered from 1 to 35, inclusive;

(8) $140,000 Renewal Notes, designated Series H and dated May 1, 1931, to be issued in exchange for $140,000. 4½% Revenue Anticipation Notes dated September 2, 1930, payable March 10, 1931, of the denomination of $10,000 each, and numbered from 1 to 14, inclusive;

(9) $350,000 Renewal Notes, designated Series I and dated May 1, 1931, to be issued in exchange for $350,000. 5% Revenue Anticipation Notes (part of an issue of $880,000 notes) dated September 2, 1930, payable April 15, 1931, of the denomination of $10,000 each, and numbered from 1 to 35, inclusive;

(10) $250,000 Renewal Notes, designated Series J and dated June 15, 1931, to be issued in exchange for $250,000. 5% Revenue Anticipation Notes (part of an issue of $880,000 notes) dated September 2, 1930, payable June 15, 1931, of the denomination of $10,000 each, and numbered from 36 to 60, inclusive;

(11) $280,000 Renewal Notes, designated Series K and dated September 1, 1931, to be issued in exchange for $280,000. 5% Revenue Anticipation Notes (part of an issue of $880,000 notes) dated September 2, 1930, payable September 1, 1931, of the denomination of $10,000 each, and numbered from 61 to 88, inclusive;

(12) $300,000 Renewal Notes, designated Series L and dated May 1, 1931, to be issued in exchange for $300,000. 4¾% Revenue Anticipation Notes (part of an issue of $500,000 notes) dated September 5, 1930, of the denomination of $10,000 each, and numbered from 1 to 30, inclusive, of which $100,000 notes numbered from 1 to 10, inclusive, were payable January 15, 1931, $100,000 notes numbered from 11 to 20, inclusive, were payable February 16, 1931, and $100,000 notes numbered from 21 to 30, inclusive, were payable March 2, 1931;

(13) $200,000 Renewal Notes, designated Series M and dated September 1, 1931, to be issued in exchange for $200,000. 4¾% Revenue Anticipation Notes (part of an issue of $500,000 notes) dated September 5, 1930, payable September 1, 1931, of the denomination of $10,000 each, and numbered from 31 to 50, inclusive:

(14) $300,000 Renewal Notes, designated Series N and dated May 1, 1931, to be issued in exchange for $300,000. 4½% Revenue Anticipation Notes (part of an issue of $400,000 notes) dated September 12, 1930, of the denomination of $10,000 each, and numbered from 1 to 30, inclusive; of which $100,000 notes numbered from 1 to 10, inclusive, were payable March 10, 1931, and $200,000 notes numbered from 11 to 30, inclusive, were payable April 20, 1931;

(15) $100,000 Renewal Notes, designated Series O and dated June 15, 1931, to be issued in exchange for $100,000. 4½% Revenue Anticipation Notes (part of an issue of $400,000 notes) dated September 12, 1930, payable June 15, 1931, of the denomination of $10,000 each, and numbered from 31 to 40, inclusive;



(16) $400,000 Renewal Notes, designated Series P, dated May 1, 1931, to be issued in exchange for $400,000. 4½% Revenue Anticipation Notes, dated September 12, 1930, of the denomination of $10,000 each, numbered from 1 to 40, inclusive, of which $100,000 notes numbered from 1 to 10, inclusive, were payable February 16, 1931, $100,000 notes numbered from 11 to 20, inclusive, were payable March 2, 1931, and $200,000 notes numbered from 21 to 40, inclusive, were payable April 15, 1931;

(17) $800,000 Renewal Notes, designated Series Q, dated May 1, 1931, to be issued in exchange for $800,000. 4½% Revenue Anticipation Notes, dated October 1, 1930, of the denomination of $10,000 each, numbered from 1 to 80, inclusive, of which $400,000 notes numbered from 1 to 40, inclusive, were payable March 12, 1931, and $400,000 notes numbered from 41 to 80, inclusive, were payable April 15, 1931;

(18) $300,000 Renewal Notes, designated Series R, dated May 1, 1931, to be issued in exchange for $300,000. 4½% Revenue Anticipation Notes, dated October 15, 1930, payable April 15, 1931, of the denomination of $10,000 each, numbered from 1 to 30, inclusive;

(19) $295,000 Renewal Notes, designated Series S, dated May 1, 1931, to be issued in exchange for $295,000. 4½% Revenue Anticipation Notes, dated October 15, 1930, payable April 15, 1931, and consisting of twenty-nine (29) notes of the denomination of $10,000 each, numbered from A 1 to A 29, inclusive, and one (1) note of the denomination of $5,000, numbered A 30.

Section 6. Each of said nineteen series of Renewal Notes shall consist of notes of the same denominations and be in the same number as the notes of the particular issue or block of Revenue Anticipation Notes for which it is hereby authorized to be exchanged. Each Renewal Note shall be exchanged for an outstanding Revenue Anticipation Note of the same denomination and bearing the same number, in order that the identity of the said outstanding notes with the original notes may be preserved.

Section 7. The said Renewal Notes shall be issued in substantially the following form:

UNITED STATES OF AMERICA
STATE OF NORTH CAROLINA
CITY OF ASHEVILLE

No._____ RENEWAL NOTE
Series _____ $_____

The City of Asheville, a municipal corporation in the County of Buncombe and State of North Carolina, hereby acknowledges itself indebted and for value received promises to pay to the bearer hereof, or, if registered, to the registered holder of this note,

_____ ($_____)

on the first day of March, 1932, and to pay interest thereon from the date of this note at the rate of four and one-quarter per centum (4¼%) per annum, on January 1st and March 1st, 1932, and at the rate of six per centum (6%) per annum from that date becomes due and payable. Both principal and interest of this note will be paid in gold coin of the United States of America of the present standard of weight and fineness, or its equivalent in lawful money, at the principal office of Irving Trust Company in the City of New York, N. Y.

This note may be registered in the holder's name on the books of the Treasurer of the City of Asheville, and such registration noted upon the note by said Treasurer, after which this note shall be non-negotiable (but shall continue to be transferrable) and no transfer shall be valid unless made on the Treasurer's books by the registered holder in person or by attorney and similarly noted upon the note.

The City of Asheville reserves the right to pay the whole or any part of the principal or interest of this note before such principal or interest becomes due, and also reserves the right to extend the time for the payment of the principal of this note by issuing a new note in exchange therefor, at or before the maturity of this note, such new note to be of the same tenor as this note, except as to date and date of maturity, and to be made payable not later than January 1, 1932, and to bear interest at the rate of four and one-quarter per centum (4¼%) per annum, payable at least every six (6) months.

As provided in the resolution authorizing the issuance of this note, passed by the Council of the City of Asheville on September ____, 1931, said resolution is hereby made a part of this note, this note shall become due and payable before maturity upon the happening of such events and upon such conditions, and subject to such limitations, as are set forth in said resolution, at the election of the Noteholders' Committee constituted under an agreement dated March 28, 1931, between Wallace Benedict, F. H. Alden and F. J. Haz, as holders of notes of the City of Asheville, or of Buncombe County, or of the Board of Education of Buncombe County, who have deposited their notes under said agreement.

This note is one of an issue of notes of like date and tenor, and is issued pursuant to Section 2933 of the Consolidated Statutes of North Carolina (being a part of The Municipal Finance Act, 1921), as amended by Section 64 of the Local Government Act of North Carolina, and pursuant to a resolution duly adopted by the Council of the City of Asheville, and is issued in exchange for and for the purpose of renewing a note of like amount evidencing indebtedness incurred by the City of Asheville before January 1, 1931, for necessary expenses of said City. The amount and purpose of the issue of notes of which this note is one have been approved by the Board of Financial Control for Buncombe County, as required by law.

It is hereby certified and recited that all conditions, acts and things required by the Constitution or statutes of the State of North Carolina to exist, be performed or happen precedent to or in the issuance of this note, exist, have been performed and have happened, and that the amount of this note, together with all other indebtedness of the City of Asheville, is within every debt and other limit prescribed by the Constitution or statutes of said State. The full faith, credit and taxing power of said City are hereby irrevocably pledged to the punctual payment of the principal and interest of this note according to its terms.

IN WITNESS WHEREOF, the City of Asheville has caused this note to be signed by the City Manager and by the City Clerk of said City, and has caused the seal of said City to be affixed hereto, and this note to be dated the 1st day of _____, 1931.

_____
City Manager

_____
City Clerk

APPROVED:

_____
Corporation Counsel

(Endorsements on Back)

REGISTRATION CERTIFICATE

| Date of Registration | In Whose Name Registered | City Treasurer |
|---|---|---|
| | | |
| | | |
| | | |

The issuance of this note has been approved under the provisions of the Local Government Act of North Carolina.

Chas. M. Johnson, Director
of Local Government and Ex-officio
Secretary of the
LOCAL GOVERNMENT COMMISSION

By_____
Designated Assistant

Section 8. The City Manager and the City Clerk are hereby authorized to sign the notes authorized by this resolution and to affix to said notes the seal of the City of Asheville and to turn the notes over to the State Treasurer of North Carolina or to the Director of Local Government, to be delivered to the Noteholders' Committee in exchange for said $4,750,000 of outstanding Revenue Anticipation Notes in accordance with the provisions of this resolution. The Local Government Commission is hereby required to approve the issuance of the notes hereby authorized and to cause them to be delivered as aforesaid.

Section 9. If any provision or part of this resolution or of the notes hereby authorized shall be invalid, such provision or part shall be exscinded and the remainder shall not be effected by such invalidity.

Section 10. This resolution shall take effect fifteen (15) days from the date of its final passage.

Introduced by
Frank S. Smith

Seconded by
Julian A. Woodcock

Approved as to form:
J. G. Merrimon
Corporation Counsel.

Read, approved, and adopted, this the 17th day of September 1931.
Rules suspended and immediately put upon its second and third reading and adopted and declared to be a resolution of the City of Asheville, effective according to statute fifteen (15) days from date of passage.

ttis Green
E. G. Thompson

Mayor
City Clerk.



Moved by Mr. Frank Smith, seconded by Mr. Julian Woodcock, [illegible] tion be adopted.

Mr. Julian Woodcock moved, seconded by Mr. Frank Smith [illegible] be suspended and put on its second and third reading. All members present voting "aye".

Moved by Mr. Woodcock, seconded by Mr. Smith that the resolution be put on its second reading, voting "aye" Councilmen Woodcock, Smith, Wambolt, Rigsby, Green, Devendorf, Britt and Boyd.

Moved by Mr. Woodcock, seconded by Mr. Smith that the resolution be put on its third and final reading. All members present voting "aye." The resolution was declared to be effective fifteen (15) days from the date of its passage.

There being no further business, the meeting, on motion, adjourned.

Mayor

City Clerk.

Thursday, September 24, 1931, 3:00 P.M.

The City Council met in regular session this day with the following: Councilmen, Ottis Green, Wilbur Devendorf, E. G. Thompson, Julian A. Woodcock, Wickes Wambolt, Frank S. Smith, Mayor Rigsby, R. W. Rigsby and Corporation Counsel, J. G. Merrimon.

The minutes of the previous meeting were approved with the following correction: In regard to ordinance requiring every person moving or transferring household goods to report the removal thereof, the motion that the ordinance was withdrawn and the ordinance was ordered [illegible] for approval.

A Resolution in regard to registration of renewal of outstanding revenue anticipation notes of the City was on motion of Mayor Rigsby, seconded by Louis Lipinsky unanimously adopted.

WHEREAS, a resolution entitled [illegible] revenue anticipation notes of the City [illegible] City Council on September [illegible], 1931; and

WHEREAS, the aforementioned resolution contains the following provision:

"This note may be registered in the name of the holder on the books of the Treasurer of the City of Asheville, which registration noted upon the note by said Treasurer, after which this note shall be non-negotiable (but may continue to be transferable) and no transfer shall be valid unless noted on the Treasurer's books by the registered holder in person or by attorney and similarly noted upon the note."

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF ASHEVILLE:

That the City Manager be instructed to see that the each and every note shall be registered in the aforesaid manner on the books of the Treasurer of the City of Asheville and that such registration be noted upon the note by said Treasurer or before delivery.

I move the adoption of the foregoing resolution, this the 24th day of September, 1931.

Wickes Wambolt
Councilman

Seconded by:
Louis Lipinsky

Approved as to form:
J. G. Merrimon
Corporation Counsel.

There being no further business, the meeting, on motion, adjourned.

Mayor

City Clerk.

October 1, 1951

Thursday, October 1, 1951 - 8:00 P. M.

The City Council met in regular session: Mayor Green presiding. Present: Councilmen, Julian A. Goodman, [illegible] Wambolt, Frank C. Smith, Louis Lipinsky, [illegible] Mann, Ellen Hammond, H. G. Brookshire, W. [illegible] Britt and Platt Beyer, [illegible] Manager R. W. [illegible] and Corporation Counsel J. S. Mc[illegible]mon.

[illegible]

[illegible]

[illegible]

injure, mutilate





claimed to be

$

Council.

Tuesday,

[illegible] minutes of the previous meeting [illegible] approved.

[illegible] Council.

[illegible] Council.

[illegible]

[illegible] Council:

[illegible] Council. It was moved [illegible] to its attention. [illegible] to inquire that the applicant [illegible] Council [illegible] to [illegible] such facilities.

[illegible] with, when [illegible] The Plan [illegible] Committee [illegible] Council [illegible] Committee [illegible] Plan Committee has [illegible]





[illegible] Committee [illegible] for assistance [illegible]

The Plan [illegible] Ministers of the [illegible] in charge of the [illegible] are giving [illegible] all of their [illegible] burden of [illegible] them of criticism.

The [illegible] them. In [illegible] Our investigation [illegible] faithful in [illegible] that is [illegible] publicity. [illegible] is really possible [illegible] service to the [illegible] organization [illegible] which it is [illegible]

The [illegible] proves that the money [illegible] large amount of [illegible] efficiency.

The complaint filed against the Virginia [illegible] alleges: "We also [illegible] supported by the Community Chest. This work could be [illegible] Ministerial Association of our city, and thereby permit the [illegible] a better position to take care of the poor and needy, [illegible] cause. Also we would like to report to the Commissioners [illegible] dissatisfaction on the part of the public relative to the [illegible]

No large amount of evidence was presented [illegible] sustain these recommendations; while on the contrary [illegible] to the effect that the mission of the Good Samaritan [illegible] helpful work at a minimum outlay of money, and that its [illegible] spirit of selfforgetfulness is carrying to the [illegible] of our community spiritual encouragement and material helpfulness. It should

...activities of this organization there would be scored ...ssibilities. In all who make benefactions on the charity of the community. ...J. S. Williams is able through his independent activities to interest friends of the Mountain people in their welfare, and to procure from outside sources funds for their relief.

Rev. R. F. Campbell requested most emphatically that the clergy... ...be able to do the work now done by the Mission of ...should not be disbanded. Other witnesses spoke in glowing ...fulness of the Mission. This Committee feels that Rev. J. S. Williams has placed the whole community under deep obligations ...for all the work that he is doing, and that he is in ...

...this coming winter will tax to the li... ...Charities, the Mission of the Good Samaritan ...in dispensing material relief or spiritual comfort. This Committee would like to express the hope that these institutions may be placed in a financial position to discharge the tasks which will ...them. We further express the belief that they can, by serving of ...meetings, and by every means available to them all be... ...to magnify the character building activities.

Very respectfully submitted,

D. Hixon Ramsey
Otis Green
Clark L. Felmet
Mrs. Rose A. Logan
Taylor H. Smith
H. B. Trimble
Hembery K. Buckley

Plan Committee
Asheville Community Chest.

Attorney William A. Sullivan appeared before the Council and made request that ordinance be amended regulating pool rooms and billiard halls and to provide for the ...Taxation of such license be amended to read "and District No 1 on Patton Avenue to West ...Street (old Spring Street).

On motion of Mr. Smith, seconded by Mr. Boyd and unanimously carried, the ... to the City Manager for ... and report.

...Bond, representing Lula Ward, filed notice of claim for ...account of injuries sustained by person falling into meter box on Harrison ...On motion of Mr. Boyd seconded by Mr. Smith ordered referred to the ...of Public Works for investigation and report.

STATE OF NORTH CAROLINA,
COUNTY OF BUNCOMBE.

TO THE HONORABLE BOARD OF COUNCILMEN FOR
THE CITY OF ASHEVILLE, NORTH CAROLINA.

Pursuant to the requirements of the statute, the undersigned LULA WARD, hereby gives notice to said city of the happening or infliction of an injury to the undersigned claimant, as follows:

1 That the date of the infliction of said injury was September 5th, 1931.

2 The place of happening of said injury or infliction thereof was on the sidewalk on the western margin of Harrison Street in said City, at a meter box and covering, located in said sidewalk, at a point approximately 60 (sixty) feet from the intersection of Harrison Street with the southern margin of Starnes Avenue.

3 The manner of such infliction was: That while the undersigned was walking upon the aforementioned sidewalk, she stepped upon the covering or lid of a defective meter-box and the lid thereof, by reason of being insecurely fitted or fastened into said box, through the negligence of said City in allowing the flange supporting the lid to become worn-out by long usage, slipped when claimant stepped upon it, precipating her body into the box, cutting and lacerating her limks and otherwise seriously injuring her body.

4 That the amount of damages claimed therefor, is Three Thousand ($3,000) Dollars.



That if the ... of Councilmen ... the claim or demand ... in writing, ... days after such presentation ... on its minutes its ... for damages against ...

Respectfully ...
Lula Ward.

Chas. D. Lee, Jr., Attorney ... the Council ... a building ... and execution begin within ... stated the building had been ... introduced prescribing a ... client would be compelled to ... building.

On motion of Mr. Smith, ... matter be referred to the City ... for investigation and report.

On motion of Mr. Smith, ... An ordinance fixing ... second reading.

There being no further ..., the meeting ...

Mayor

City Clerk.

Thursday, October ..., 1931 - 8:00 P.M.

The City Council met in regular session; Mayor ... Councilmen, Plott Boyd, M. J. Brookshire, W. C. Britt, Wilson ..., Green, Frank S. Smith, Wickes Wambolt, Louis Lipinsky and ... City Manager R. W. Rigsby and Corporation Counsel, J. S. ... previous meeting were read and approved.

...

Attorney Kenneth Lee, representing ... ordinance establishing a building ... would deprive his client of his ... upon until the report of the City Manager had been presented.

...

Mr. Lyons L. Lee representing the Merchants Association, ... be taken in regard to the moving ordinance. He stated the committee appointed ... Council to prepare an ordinance had been unable to come to an agreement.

Attorney A. S. Martin, representing the Merchants Association, ... advantages of the ordinance.

On motion of Mr. Lipinsky, seconded by Dr. Brookshire, ... entitled an ordinance requiring every person moving ... or other personal property from one residence or abode to another in the City of Asheville to report the removal thereof to the Clerk of the Director of Public Safety within twenty-four hours after ... removal was placed upon its first reading.

The motion being put to a vote, the ordinance was passed on its first reading.

Mr. Conner appeared before the Council and requested information as to whether or not a building line had been established on North Liberty Street. He stated he desired this information before the St. Marks Lutheran Church is started.

This matter was ordered referred to the City Manager for investigation and report.

Mr. Rigsby reporting upon the request of Attorney William A. Sullivan that the ordinance regulating billiard halls and pool rooms be amended to extend district No 1, stated he could not at this time recommend any extension of district No 1 on Patton Ave. to West Haywood Street relative to Pool rooms and billiard halls.

Mr. Smith moved, seconded by Mr. Britt and unanimously passed that the report of Mr. Rigsby be accepted.

Mr. Rigsby reported in investigating the matter of Electrical signs, where a fee charges is $5.00, that the matter of fees or licenses which are not seriously out of line should be changed only at the beginning of a fiscal year at the time of making the budget rather than change them in such way as to effect the revenue of the city. It would appeare that a $5.00 minimum fee for the hanging of a sign over city property is not exorbitant.

Moved by Dr. Brookshire, seconded by Mr. Woodcock, unanimously passed that the report of the City Manager be adopted.

The following report on the request to construct building at the corner of Chestnut Street and Broadway was presented by the City Manager:

> It appears that Mr. Frank Anderson, owner of lot on the corner of Chestnut Street and Broadway, represented by Charles G. Lee, Jr., Attorney has requested that a permit be issued allowing the occupancy of the full size of this lot, triangular in shape, and located on the Southeastern corner of Chestnut Street and Broadway.
>
> Permit was taken out some six months ago allowing the construction, expiring September 9th. Excavation work, however, has been completed for the building of the structure, and the reason for the delay, apparently, was the inability of the owner to get a signed lease for the rent of this property to a chain store corporation--this lease, however, has now been agreed upon for five years, with the understanding that the building is to be completed by December 15th.
>
> The Planning Commission has recently requested that a building line setting back ten feet be established at this point, and has been passed on two readings by your Board. The representatives of the owner request that permission be given to build with the understanding that there will be no charge made after a period of ten years for removing the structure; with the further understanding that if the street is widened before that time, the pro-rata cost of the structure would be returned in proportion to the number of years elapsed.
>
> In general, under the conditions that exist in Asheville, this would appear to be a very fair proposition, but upon investigating this street, I not only find that other structures have been set back in accordance with the building line, but even to permit this building to go up would create immediately a hazard that no other structure could creat on this street. It is unfortunate in this case, and however much I would like to recommend otherwise, I find in justice to the traveling public, and as a matter of public safety, and to others who have set back on this street, it seems absolutely desirable that these owners be required to conform with the building line now before the Council.

It was moved by Mr. Woodcock, seconded by Mr. Britt, voted on and carried, that the report of the City Manager be adopted..

Mr. Rigsby presented a map of zone restricting operation of markets, particularly with reference to the sale of fish, and stated by the adoption of the map the market house could be kept opened in accordance with the agreement of the tenants.

Mr. A. S. Bernard, representing the market house tenants, made a request that the limits be extended to one-half mile.

Mr. Zeb Curtis, representing Mr. McKenzie and others selling fish outside the market, stated it was not fair to force business outside the limits or to compel merchants to discontiue the class of their merchandise.



Mr. Wamboldt made a motion that the Corporation Counsel be instructed to draw an ordinance establishing a zone restricting the sale of meat and fish all to present meat markets to remain open until their leases have expired, no new be established and all the fish markets to be moved to the Market House.

Mr. Lipinsky made an amendment to this motion, which was seconded by Mr. Boyd that a committee be appointed to investigate the matter and report.

The amendment to the motion was put to a vote, those voting "aye" were Councilmen Lipinsky, Boyd, Britt and Devendorf, "noes" Councilmen Smith, Brookshire, Woodcock and Wamboldt. Mayor Green then voted "no" on the amendment to

After some discussion Mr. Wamboldt withdrew his motion and Mr. Smith moved to reinstate Mr. Lipinsky's amendment, all voting, the motion carried to appoint a committee of three members.

Mayor Green appointed the following committee: Councilmen Wamboldt, Lipinsky and Smith.

Ordinance No. 157 entitled An ordinance fixing and establishing building lines on Chestnut Street was read and on motion of Mr. Devendorf seconded by Mr. Britt was placed on third and final reading to become effective October 31, 1931.

Ordinance #157

AN ORDINANCE FIXING AND ESTABLISHING BUILDING LINES ON CHESTNUT STREET.

THE CITY COUNCIL OF THE CITY OF ASHEVILLE DO ORDAIN:

Section 1. That a building line for business buildings be and is hereby fixed and established on Chestnut Street, from Merrimon Avenue to Broadway, as follows:

A building line ten (10) feet South of the South property line of Chestnut Street, from Merrimon Avenue to Broadway; and every person, firm or corporation be and are hereby prohibited from erecting, constructing or constructing any building on any lot abutting on that portion of Chestnut Street herein defined, the front of which projects beyond the building line herein established.

Section 2. That any person, firm or corporation violating any of the provisions of this ordinance shall be subject to a penalty of fifty ($50.00) Dollars for each and every violation, and each day that construction work is carried on in the erection of any building projecting beyond the building line herein established, or for each day that any building is constructed after the passage of this ordinance, the front of which projects beyond the building line herein established, shall constitute a separate and distinct offense.

I move the adoption of the foregoing ordinance, this the 15th day of October, 1931

Wilbur Devendorf

SECONDED BY: Walter E. Britt

APPROVED AS TO FORM:
J. G. Merrimon
CORPORATION COUNSEL

Read, approved and adopted this the 15th day of October, 1931 to take effect the 31st day of October, 1931

Otis Green
MAYOR

E. G. Thomas
CLERK

There being no further business, the meeting, on motion, adjourned.

Mayor Otis Green

City Clerk. E. G. Thomas

Thursday, October 22, 1931- 4:30 P. M.

The City Council met in regular session; Mayor Green presiding. Present: Councilmen, Plott Boyd, T. C. Britt, H. G. Brookshire, Wilbur Devendorf, Julian A. Woodcock, Frank S. Smith, Louis Lipinsky and Ottis Green, City Manager W. W. Rigsby and Corporation Counsel J. C. Merrimon. The minutes of the previous meeting were read and approved.

Notice of claim of W. H. Lunsford for damages in the sum of Ten Thousand and more dollars for personal injuries caused by reason of driving his car into a ditch on Fairfax Avenue was presented.

On motion of Mr. Woodcock, seconded by Mr. Boyd this matter was referred to the Director of Public Works for investigation and report to the Corporation Counsel.

State of North Carolina
County of Buncombe
City of Asheville

re. claim of W. H. Lunsford for personal injury, defect in street.

To the Honorable Mayor,
the City Council and the
City Manager of the
City of Asheville.

Gentlemen:

This is to notify you and each of you that W. H. Lunsford of Route #3, Asheville, N. C., claims damage from the city of Asheville in the sum of Ten Thousand and more dollars for personal injury caused by the negligence of the said City and its employees as follows:

The injury occurred on or about the 25th day of Sept. 1931.

The place of happening and infliction of said injury was at the intersection of the southern end Fairfax Avenue with the northern margin of the Carrier Bridge River road, in the City of Asheville, N. C.

The injury was sustained and inflicted in the following manner; the said W. H. Lunsford was driving his Crysler Coupe down Fairfax Avenue in a southerly direction going to his work at the Southern railway roundhouse at about at about 10 o'clock at night; when he reached the intersection of Fairfax avenue and said Carrier road, his car plunged into a newly dug ditch about a foot and a half deep which had recently been dug by city employees: said ditch was uncovered, open and without any light, sign or warning whatsoever of its dangerous condition. When said Lunsfords car plunged into said open and unprotected ditch, he was thrown with great force and violence forward upon the steering gear of his automobile and his stomach, ribs and bowels injured and bruised and he then and there suffered a serious rupture or hernia, his back wrenched and mussles of his sides wrenched and he was caused great and intense pain, and he still suffers severe and intense pain and will for a long time possibily suffer permanent disability and pain as a result of said negligence on the part of said city and its agents, servants and employees.

W. H. Lunsford

I acknowledge receipt of the original of the foregoing notice of claim for personal injuries, this the ___ day of Oct. 1931

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Ordinance No. 159- entitled "An ordinance fixing and prescribing building lines on Liberty Street and South Liberty Street" was presented and on motion of Mr. Britt, seconded by Dr. Brookshire, passed on its first reading.



Mr. Rigsby read resolution passed by the Board of Financial Control fixing operating expenditures by the City of Asheville for the fiscal year of 1931-32, the amount being a reduction of $98,261.55 from the amount of budget as submitted.

RESOLVED, That the Board of Financial Control of Buncombe County, N. C., in the exercise of its discretion, remove from the budget submitted to it by the council of the City of Asheville, covering the operations of said governmental unit of the fiscal year beginning September 1, 1931, any and all items inserted therein to cover the payment of principal and interest of principal bond maturities of said governmental unit, for said fiscal year, in the period of 25 days immediately after the end thereof, except amounts due on account of principal bond maturities of the Town of Biltmore Forest, and advise said council of the City of Asheville to fund or refund the debt so represented by said notes and/or bonds, except as above provided, in the manner provided by law.

RESOLVED, FURTHER, that the budget submitted by said Council, as aforesaid, a copy of which is hereto attached, and which provides for expenditures for said fiscal year totaling $[illegible],189.10 debt service expenditures other than delinquent items after the modification to be made of $1,007,891.00 interest, $5,273.38 principal, and delinquent debt service expenditures of $675,700.79 interest and $[illegible],314.10 principal, and which shows estimated revenues from delinquent taxes for the ensuing fiscal year of $842,614.89 and from other sources other than ad valorem taxation of $546,690.40 be and the same is hereby disapproved.

RESOLVED, FURTHER, that said disapproval relates to items in the operating budget of the City of Asheville as hereinafter set out, the amounts of all of which as contained in said budget are, in the judgment of the Board of Financial Control excessive and larger than amounts representing the reasonable and adequate needs of the City of Asheville for the several purposes indicated for the fiscal year above referred to, said items hereinabove referred to being as follows:

General Government

Pack Library

Special Appropriations

- Community Chest
- Chamber of Commerce
- Good Samaritan
- Mission Hospital
- Traveler's Aid
- Miscellaneous Charities
- Sondley Reference Library

Juvenile Court

Insurance

- Compensation
- Buildings and contents
- Automotive
- Surety bonds.

Telephones

City Manager Supplies

Law

Litigation

Department of Finance

- Stores
- Postage
- Other Departmental Items

Department of Public Works

- Engineering
- Incinerator (wages)
- Street cleaning
  - Motor Transport
  - Wages
- Street Lighting
- Storm Sewer Cleaning
- City Hall
- Street Maintenance
- City Plaze

Public Welfare

General Cut

Public Safety

Police Bureau (Uniforms)
Market
Lindley Home

Water Department

Pipe Line Maintenance
Water Connections
Meter Maintenance

General Parks

Golf Links
Aston Park (Wages, supplies)
Montford Park (Wages)
McCormick Field
Horney Park (Wages, supplies)
Rhododendron Park (Wages)
Kenilworth

Motor Transport

General Cut

Recreation Park

General Cut
Contingent
City Clerk
Errors and Rebates
Discounts

RESOLVED, FURTHER, That the Board of Financial Control indicate to the Council of the City of Asheville that it will approve total expenditures for operating purposes by the City of Asheville for the fiscal year above referred to of $566,827.64 being a reduction of $98,261.55 from the amount contained in said budget as submitted.

RESOLVED, FURTHER, That a copy of this resolution be transmitted to the Board of Commissioners of Buncombe County by the secretary of this Board.

I hereby certify that this is a true copy of the resolution passed by the Board of Financial Control this the 19th day of October, 1931 at 11:00 o'clock.

(Signed) H. Grady Reagan
Secretary of the Board of
Financial Control

A statement by the City Council in regard to revising the budget to fit the limit fixed by the Board of Financial Control was read

We, the City Council of the City of Asheville, elected for the intelligent and economical operation of City affairs, hereby make public our views of the severe, and what we are convinced, harmful and detrimental restriction in the expenditure of money for City operation. It will require a net tax rate of about 84¢ to take care of the interest on city debt. We have asked for a 21¢ rate to supplement general revenues to enable the city to operate under a budget which has been cut tremendously by the city officials in an effort to meet the conditions existing in this community. This budget contemplates only those services which, after most careful consideration and investigation, we consider a minimum to preserve publis health, sanitation, and safety, and maintain public properties upon a scale commensurate with our financial condition, yet necessary, if we expect to maintain this city so as to induce tourists or health-seekers to come here for temporary or permanent residence.

The Council was fully informed as to the best interests of the community and the limit of expenditure which would fit the tax payers' ability to pay, yet preserve the public property against excessive replacements later on. The budget was in general a sound presentation of public policy based on intelligent economy and calculated to retain for the citizens a fair share of public expenditure.

After making and presenting this budget, which represented a cut of about $100,000 from the prior costs of operating the city business, we are now asked to make a further reduction of $98,261.55, which cannot in our estimation be other than harmful. While this Council expects the city government to make every effort possible to give good service, it does not want to be held responsible for the neglect of streets or other public properties, nor for failing to take care of the poor and dependent, nor for failure to take care of public safety and sanitation, due to lack of funds.



We further feel that if there were any chance of the [illegible] taxes in this community upon a basis of procuring a low tax rate, the possibility of restoring the tax-paying habit and confidence in this community would be destroyed by allocating adequate tax money of this community to pay interest at the full rate, and deny thepeople here adequate maintenance of their public properties and the preservation of living conditions.

It is a new venture in municipal government when the people have virtually no initiative or voice in determining how money shall be spent to maintain the best interests of the community as they see sent. This has been taken away from the City Council by an act known as the Financial Control Act, and while we are not complaining any or group, we are forced by the very course of events to make this statement, to inform the citizens of the working out of this experiment. Under the law exists the Board of Financial Control has absolute authority to determine the limit of expenditure in the city budget, and the City Council is required within five days to revise the budget in such manner as to meet this total. The Council is not even permitted, under this law, to request a public hearing without giving up its right to make the budget, as it is automatically turned over to the Board of Financial Control to express the policies ordinarily received for the representatives of the people, who in Asheville were elected under a charter adopted by a vote of the people establishing a new form of government.

It is our conviction that the Board of Financial Control either has too much power, ornot enough, and under the conditionsexisting a serious impediment to municipal progress will exist until either the Board of Financial Control or the City Council has authority, plus responsibility. Now the Board of Financial Control has authority in respect to controlling the budget and negotiating with security holders; they have little responsibility in answering the complaints of the people, or taking the blame for failure to provide public services, therefore, they should be given the power not only to control the budget, but to operate the city, or else the law should provide that their decisions can be overridden by two-thirds vote of the members present of the Council representing the people. This Council has been anxious to have a low tax rate, but a low tax rate which might create a wrong impression to the outside world, and be a source of embarrassment at home,- because our visitors must show sooner or later- will not restore confidence in this community, nor will it in any community. The people will soon learn that a tax rate so adopted is a calm before the storm later on. There is no one here having intelligence enough to acquire property who does not know perfectly well that confidence in the community could never be restored upon a basis of destroying the very things which makes this community a fit place in which to live.

When the State Legislature gave the Board of Financial Control, consisting of five men appointed by said legislature, power to determine the amount which should be spent to operate the city, they took away from the citizens the rights of self-government, which right is a fundamental principle of this country, and may easily result in the interests of the citizens of this city becoming secondary to the interest of the security holders.

The Council is revising the budget to fit the limit fixed by the Board of Financial Control, and wishes to assure the citizens that it will endeavor in so far as the means will allow, to perform the duties for which it was elected and render the best service possible.

[illegible] BUDGET

The budget for the City of Asheville, as prepared, was presented to the Council bythe City Manager, and the following resolution adopted:

RESOLVED:

That the budget, as presented, be adopted and declared the budget for the fiscal year.

I move the adoption of the foregoing resolution, this the 22nd day of October, 1931.

Frank S. Smith
Member of Council

SECONDED BY: Plott Boyd
Member of Council

APPROVED AS TO FORM:

J. C. Merrimon
CORPORATION COUNSEL

Ordinance #158- entitled "An ordinance requiring every person moving or transferring household goods or other personal property from one residence or abode to another in the City of Asheville to report the removal thereof to the Clerk of the Director of Public Safety within twenty-four hours after such removal" was on motion of Mr. Lipinsky, seconded by Mr. Woodcock passed on its second reading.

Mr. Lipinsky withdrew his motion in order that interested citizens might be heard.

Mr. H. C. Allen, Mr. Ray Ingle and Mr. J. A. McIntire spoke in opposition to the ordinance and requested that the ordinance be not passed.

Mr Lipinsky moved seconded by Mr. Woodcock and unanimously passed that this ordinance be passed on its second reading.

Mr. George G. Scott of the firm of Scott & Company, presented an audit for the fiscal year beginning September 1, 1930 and ending August 31, 1931.

On motion of Mr. Smith, seconded by Mr. Woodcock, it was ordered that this audit be referred to the City Manager for investigation and report to the Council of his findings.

There being no further business, the meeting, on motion, adjourned.

Mayor H. H. Green

City Clerk. E. S. Thompson

Thursday, October 29, 1931- 4:30 P. M.

The City Council met in regular session; Mayor Green presiding. Present: Councilmen, Julian A. Woodcock, Wickes Wamboldt, Frank S. Smith, Ottis L. Green, Wilbur Devendorf, H. G. Brookshire, W. O. Britt and Plott Boyd, City Manager, R. W. Rigsby and Corporation Counsel, J. G. Merrimon. The minutes of the previous meeting were read and approved.

A communication from Mrs. C. G. Memminger requesting that the name of Stoneham Road recently changed by ordinance from Oakland Road be changed back to the original name of Oakland Road was read and on motion of Mr. Devendorf, seconded by Mr. Smith ordered referred to the City Manager and the Director of Public Safety for investigation and report.

Oct. 29th, 1931.

To the Hon. Mayor and City Council of Asheville, N. C.

Dear Sirs:

I have received a card from the Post Office notifying me that Oakland Road on which my house is situated has had the name changed from Oakland Road to Stoneham Road by an ordinance of August 21st, 1931.

It seems that the proposed change was advertised previously in the news papers. Having been absent from Asheville about five months I was in complete ignorance of the measure.

I would like to protest against this change and ask you to allow the name to remain Oakland Road. The following grounds I submit for your consideration. The Street or Road partly paved at our expense by my husband has been Oakland Road for eighteen years and would thus seem entitled by priority and usage to the name of Oakland Road. My property running both sides of the road is about seven acres. I am certainly one if not the largest tax payer on the road, eight persons live continuously on my premises, all of my business and legal papers are addressed to Oakland Road both from points in America and from Europe as well, the same is true of mail etcetera of the other members of my household. Such arbitrary change might result in grave loss to me and to my household in the matter of legal notices, tax notices etcertera.

With this statement of facts before,you I trust that you may see fit to rescind the ordinance and comply with my request. Awaiting your reply, I am

Yours truly

Mary Lee Memminger
(Mrs C. G. Memminger)



Charles E. Jones, Attorney for M. H. Kelly, [illegible] requested in writing that Mr. Kelly be relieved of [illegible] sheet 1, ward 3, North Lexington Avenue, lot listed in the name of Margaret A. Hill.

On motion of Mr. Woodcock, seconded by Mr. Boyd, it was ordered that the matter be referred to the Corporation Counsel.

Asheville, N. C., October [illegible], 1931.

To the Honorable Mayor
and
Council of the City of Asheville, N. C.

Gentlemen:-

Your petitioner, M. H. Kelly, a citizen and taxpayer of the City of Asheville, respectfully represents:-

That on August 18th, 1931 he purchased at the foreclosure sale Lot 7, Sheet 1, Ward 3 of the City of Asheville, fronting 18 feet on Broadway and 18 feet on North Lexington Avenue;

This property is assessed for taxes in the name of Margaret A. Hill, who borrowed $6,500.00 from your petitioner on October 15th, 1924, conveying this lot to Charles N. Malone, as trustee, to secure said loan. See Book 142 of Deeds of Trust, page 80.

That the title to this lot was vested in Charles N. Malone, as trustee, from October 15th, 1924 until August 18th, 1931, as security for the payment of said note and interest and taxes and assessments thereon; that there is nothing of record to indicate that either he or your petitioner were notified of the opening and widening of North Lexington Avenue and the taking of a portion of this lot by the City without compensation to anybody.

The Mayor's writ was issued on April 5th, 1925, after title to said lot was in Charles N. Malone, as trustee and the assessment was confirmed May 21st, 1925. See Minute Docket 10, pages 175-177. No damages whatever were allotted to the owner of this lot. On the contrary it was taxed with $425.00 as benefits and this sum bears interest from May 21st, 1925 until paid.

There was no appeal entered by Mrs. Hill nor your petitioner nor Mr. Malone were not notified of the proceedings nor consequently were not parties thereto. Mrs. Hill has conveyed her title to this property to secure the note held by your petitioner and the ownership of the lot was in the trustee, who held the legal title.

Your petitioner is also advised that the assessment against said lot for opening and widening N. Lexington Avenue is ineffective and unenforcible for the following reasons:-

1. No process or notice was served upon the owner or holder of the legal title as required by sections 2[illegible], [illegible] of the City Charter;

2. No effort to agree on the value of the land taken by the city appears to have been made with the owner;

3. The City could not acquire title without making and tendering compensation for the land taken and therefore could not impose this requirement and tax the owner with $425.00 as benefits for the improvement. Goode vs. Asheville 197 N. C. [illegible].

Your petitioner has paid all city taxes and assessments due on this land for the years 1928, 1929 and 1930, except the tax for opening and widening North Lexington Avenue and this tax your petitioner believes should not be charged against him for the reasons assigned herein.

Wherefore your petitioner prays that the petition may be [illegible] and that he be exonerated from the lien of the assessment herein mentioned.

Respectfully submitted this 0 tober [illegible], 1931.

M. H. Kelly, petitioner by

Charles E. Jones
Attorney.

October 19, 1971

Mr. Rigsby read communications from H. Grady Reagan, Tax Supervisor, advising the assessed valuation of property subject to ad valorem taxation in the City of Asheville for the year 1971-1972 is $107,330.000, the city tax rate ninety six cents (96¢)

It was moved by Mr. Britt, seconded by Mr. Smith that the City approve and adopt tax rate of 96 cents. Motion was unanimously carried.

Schedule of Rates and Valuations City and County

| | Valuation | Exact Rate | Amount | Even Rate | Amount | Budget | Over | Under |
|---|---|---|---|---|---|---|---|---|
| State School | $154,580.071 | .16106 | 248,975.94 | .16 | 247,728.11 | 248,975.[illegible] | | 1,[illegible] |
| County General | 154,580.071 | .75413 | 1,165,737.78 | .76 | 1,174,808.54 | 1,165,738.17 | 9,070.37 | |
| County School | 154,580.071 | .11148 | 172,339.77 | .11 | 170,038.08 | 172,339.[illegible] | | [illegible],30[illegible] |
| City | 107,330,000 | .96059 | 1,031.001.25 | .96 | 1,030.368.00 | 1,031.001.[illegible] | | [illegible] |
| City School | 88,960.325 | .3267 | 290,641.39 | .33 | 293,569.07 | 290,641.11 | 2,027.96 | |

Distribution of Rates

| | | |
|---|---|---|
| State Rate | | .16 |
| County Operating | 19.25 | |
| County Debt Service | 53.75 | .76 |
| County School Operating | 8.89 | |
| County School Debt Service | 2.21 | .11 |
| City School Operating | 16.78 | |
| City School Debt Service | 16.22 | .33 |
| City Operating | 10 | |
| City Debt Service | 86 | .96 |

[illegible] ORDINANCE

Ordinance #160- entitled An ordinance prohibiting pedestrians from using the streets of the City of Asheville as walkways, where sidewalks have been constructed for that purpose; being for the immediate preservation of the public peace, safety and welfare of the citizens of Asheville it is hereby declared an emergency ordinance" was presented and on motion of Walter C. Britt, seconded by Frank S. Smith passed on its first reading.

It was moved by Mr. Britt, seconded by Mr. Woodcock that the rules be suspended this ordinance being declared an emergency ordinance placed on its second and third reading. All members of the Council present voting "aye", the ordinance was adopted and declared to be an ordinance of the City of Asheville, to become effective upon its publication in a newspaper published in the City of Asheville.

ORDINANCE #160

AN ORDINANCE PROHIBITING PEDESTRIANS FROM USING THE STREETS OF THE CITY OF ASHEVILLE AS WALKWAYS, WHERE SIDEWALKS HAVE BEEN CONSTRUCTED FOR THAT PURPOSE; BEING FOR THE IMMEDIATE PRESERVATION OF THE PUBLIC PEACE, SAFETY AND WELFARE OF THE CITIZENS OF ASHEVILLE IT IS HEREBY DECLARED AN EMERGENCY ORDINANCE.

WHEREAS, pedestrians--especially school children-- are using the streets of the city, on which sidewalks have been constructed, as walkways, thereby not only interfering with and greatly impeding and hindering traffic but also endangering life.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ASHEVILLE:

Section 1. That it shall be unlawful for an pedestrian to use the public streets of the city as walkways, on which a sidewalk or sidewalks have been built and constructed, except for the purpose of crossing such streets, and all such crossings shall be at places designated therefor by white lines across the said streets.



October 19, 1971

Section 4. Any [illegible] violating [illegible] nance shall be guilty [illegible] not [illegible] dollar for the first [illegible] offense thereafter, [illegible] Court for not mo[illegible].

Section [illegible] vation of the publ[illegible], safety and welfare of the [illegible] be an emergency or[illegible] and shall become effective [illegible]

I move the [illegible] Day of October, 19[illegible].

[illegible] Mem[illegible]

Seconded by: [illegible]

APPROVED AS TO FO[illegible]:
J. G. Merrimon
CORPORATION COUN[illegible]

Read, [illegible] and [illegible]

Rules sus[illegible] and immediately [illegible] readings and adopted [illegible] Asheville, effectiv[illegible]

[illegible] G[illegible]
[illegible]

E. G. Th[illegible]
Cl[illegible]

[illegible]

In the matter of [illegible] of City officials, M[illegible] following bonds be requi[illegible] officials of [illegible]:

Harry B. Steele-Desk Sergeant [illegible] Police Station [illegible]
Mr. Arthur Bramlett, Cashie[illegible]
Peyton L. Stone- Clerk Poli[illegible]
Jesse M. Morgan-Privilege Ta[illegible]
Robert L. Maynard, City Engi[illegible]
Cecil Earpe-Prof. Municipal G[illegible]
Alfred Creasman- Desk Sergeant [illegible]
Detective Brown- City Police S[illegible]n, sworn in as substitute desk serge[illegible]
Mrs. J. E. Hough, Secy to [illegible] Public Safety
Lon Duckett- Fire Chief and [illegible] Inspector
E. R. Black, Truck Foreman San[illegible] Dept.
Mrs. E. G. Thompson- City Cl[illegible]
R. W. Rigsby, City Manager & [illegible] of Finan[illegible]
Gerald Cowan, Director Publi[illegible] & Public Safety
The Carolina Motor Club
Mrs. L. A. Rhodes, Relief [illegible]
T. E. Rankin, Assistant Supt [illegible]
Frank M. Campbell, Plumbing [illegible]
Weldon Weir, Superintendent [illegible]

[illegible]. W. Rigsby, City M[illegible].

Mr. Smith moved, [illegible] by M[illegible]. Woodcock that the [illegible] of the City Manager be approved.

[illegible]
B. J. Hockey

Mr. Rigsby read report of the City Engineer in regard to request of B. J. Hockey for cancellation of sanitary [illegible] assessment against his property [illegible] formerly 54 Westview Street and recommended that Mr. Hockey be [illegible] assessment.

On motion of Mr. Boyd, seconded by M[illegible]. Smith the [illegible] City Manager was approved.

[illegible] STREET-OPENING &
WILLIE PASS GRIFFIN ET AL.

In reporting upon the claim of Willie Pass Griffin et al for opening and widening Marjorie Street, Mr. Rigsby read [illegible] report by the Assistant Corporation Counsel and recommended that the claim be rejected.

Mr. Woodcock moved, seconded by Mr. Devendorf that the recommendation of the City Manager be adopted.

In regard to the [illegible] of Reynolds G. Florance for release of paving assessment against lot [illegible], Sheet 10, Ward 8, Austin Avenue, Mr. Rigsby read report of Assistant Corporation Counsel showing the result of his investigation and recommended that the [illegible] against the lot be stricken from the records.

Mr. Britt, moved, seconded by Mr. B. Britt, that the recommendation of the City Manager be adopted.

October 27, 1931

Austin Avenue,
Paving Assessments,
Lot 68, Sheet 10, Ward 8,
Reynolds G. Florance

Mr. J. W. Rigsby,
City Manager.

Dear Mr. Rigsby:

The records show that there was an assessment made against the above lot on January 19, 1915, and on January, 1924, an entry was made showing that the same was marked paid by the Board. Several attorneys have examined this particular property and the records of the City of Asheville showed no assessment. Then, in 1929, the City of Asheville installed a cardex system showing all assessments against property in the city of Asheville. The engineering department discovered the above item and a charge of $145.20 was placed against said lot.

I am of the opinion that this charge is invalid; that since the other account was marked paid the Board had no authority to set up another charge. I therefore recommend that the tax collector be instructed to withdraw his card showing the charge of $145.20 against the above lot, and that the records remain as they originally were.

I am returning herewith the file on this matter.

Very truly yours,
DeVendorf Lentz
Assistant Corporation Counsel

JGM:sb
Enclosure.

In regard to claim of W. H. Lunsford for $10,000 for injuries alleged to have been caused by the negligence of the city, Mr. J. G. Merrimon, Corporation Counsel reporting the result of investigation recommended that the claim be declined.

October 28, 1931.

J. W. Rigsby, Esq.
City Manager
Asheville, N. C.

My dear Mr. Rigsby, IN RE: W. H. Lunsford-Claim

From report of investigation made me regarding claim of Mr. Lunsford for $10,000.00, alleged to have been caused by the negligence of the City, I recommend that the same be declined.

Very truly yours,
J. G. Merrimon
Corporation Counsel

JGM:LC

It was moved by Mr. Devendorf, seconded by Dr. Brookshire, that the recommendation of the Corporation Counsel be adopted.

The report of the Corporation Counsel in regard to the claim of Lula Ward for damages for alleged injuries, in which he recommended that the claim be declined was presented.

On motion of Mr. Britt, seconded by Mr. Boyd, the recommendations of the Corporation Counsel was adopted.

October 28, 1931

J. W. Rigsby Esq.
City Manager
Asheville, N. C. IN RE: Lula Ward-Claim
My dear Mr. Rigsby:

From investigation of this matter which has been handed me, I recommend that the demands of Mrs. Ward for $3,000.00 damages for alleged injuries be declined.

Very truly yours
J. G. Merrimon
Corporation Counsel

JGM:LC



On motion of Mr. [illegible], seconded by Mr. [illegible], the City Manager was authorized to advertise for bids for the [illegible] in the City Auditorium.

Mr. Rigsby read a [illegible] relative to adjustment of the [illegible] and recommended the formation of a committee composed of [illegible] which will definitely determine, after a thorough survey the matter of [illegible] community to pay. The purpose of this committee should be [illegible] he recommended that the Council [illegible] this matter. [illegible]

Ordinance No. 188, entitled "An Ordinance [illegible] transferring household goods [illegible] another in the City of Asheville [illegible] of Public Safety within twenty-four hours [illegible]" seconded by Mr. Boyd passed on the second and third readings.

ORDINANCE 188

AN ORDINANCE REQUIRING EVERY PERSON MOVING [illegible] GOODS OR OTHER PERSONAL PROPERTY FROM ONE [illegible] ANOTHER IN THE CITY OF ASHEVILLE TO REPORT [illegible] CLERK OF THE DEPARTMENT OF PUBLIC SAFETY WITHIN [illegible] AND REMOVAL.

THE CITY COUNCIL OF THE CITY OF ASHEVILLE DO ORDAIN:

Section 1. That any and every person, firm or corporation, [illegible] household goods or other personal property, or furniture, [illegible] for the purpose of the change of residence, [illegible] of the said property [illegible] (not including those arriving in, or [illegible] from the City of Asheville) [illegible] of Asheville, or from one point within the limits of the City [illegible] place without the limits of said city, or from [illegible] City to a place within the limits of said City, [illegible] any storage house, warehouse, freight or express [illegible] make a written report of such move to the Department of Public Safety within twenty-four hours after such removal [illegible] shall be furnished by the Clerk of the Department of Public Safety substantially as follows:

Moved for _____ from _____

To _____ (Signed) _____

Date Moved _____ Date filed with Dept. of Public Safety _____

Section 2. The Clerk of the Department of Public Safety shall keep on hand a supply of the blank forms mentioned herein, and furnish the same free of charge to all person, firms or corporations making application therefor. Any of the property of the kind herein mentioned, left by the owner, shall be returned by the owner of the property, on application of any such person or removing the same, to the Clerk of the Department of Public Safety and the same shall be filed away alphabetically and kept open for public inspection.

Section 3. It shall be unlawful for any person, firm or corporation, any of the kind and character of property referred to in Section 1 hereof, for the purposes mentioned and specified in said Section 1, without making report in said Section provided.

Section 4. It shall also be unlawful for the owner or agent of the aforesaid property to refuse to give his, her or their correct names, or for the driver or drivers of any vehicle engaged in, [illegible] removal, to refuse to give the name of the owner of the property, or for any one to give a fictitious or false name of the owner of the property, or the place or places from or to which the property [illegible] in Section 1 is removed.

Section 5. That any person, firm or corporation violating any of the provisions of this ordinance shall be liable to a penalty of not less than five, nor more than fifty dollars, in the discretion of the Court.

I move the adoption of the foregoing ordinance this the [illegible] October, A. D., 1931, to become effective within fifteen days from the date of its final passage.

Louis Lainey
Seconded by:
Julian Boyd

APPROVED AS TO FORM:
J. G. Merrimon
CORPORATION COUNSEL

...and adopted this the 19th day of October, 1931,
to ... the 5th day of November, 1931

Ottis Green
MAYOR

E. G. Thompson
CLERK

...Ordinance, sponsored by M... Devendorf, Ordinance No. 193, entitled "An ... Sign and ... Ibbing, building lines on Liberty Street and ... on its second reading.

...the request of ... E. Shuford, Liquidating Agent, a committee composed of Mayor Green, Corporation Counsel J. G. Merrimon and Councilman Plott Boyd were on motion of Mr. Wambolat ... by Mr. Smith appointed to confer with the Liquidating Agent ... to liquidation of collateral.

There being no further business, the meeting, on motion, adjourned.

Mayor

City Clerk.

Thursday, November 5, 1931- 4:30 P. M.

The City Council met in regular session; Mayor Green presiding. Present: Councilmen, Frank S. Smith, Wickes Wambolat, Julian A. Woodcock, Ottis L. Green, Plott Boyd, W. C. Britt, H. G. Brookshire and Wilbur Devendorf, City Manager R. W. Rigsby and Corporation Counsel, J. G. Merrimon. The minutes of the previous meeting were read and approved.

Representatives of organized labor of the city appeared before the Council and submitted written protest from the Central Labor Union of Asheville against the reduction of employed personnel of the city which has recently been placed into effect.

TO THE HONORABLE MAYOR AND MEMBERS OF THE CITY COUNCIL
CITY OF ASHEVILLE,

GENTLEMEN: The undersigned committee, representing the Central Labor Union of Asheville, wishes to submit its protest to your honorable body, against the reduction of employed personnel of the City, which has recently been placed into effect.

We wish to represent that the separation of these men from their employment, particularly at this time, is contrary to the public good, and contributes to the evil of unemployment in this city.

Without reference to any lessening of efficiency in the police, fire, street, and sanitary departments, thus lowering the services given the citizens and taxpayers of the City in exchange for their tax money, we believe that discharging so many men in the height of the business depression and at the verge of winter, will add to the suffering, and place additional burdens upon charitable organization as well as private charity, at a time when these enterprises are strained beyond their ability to sustain.

While the purpose of discharging these men, and reducing the employed time of others has apparently been done for the purpose of reducing operation expenses of the City and thus helping to lower taxes, we wish to submit that the action only contributes to the vicious circle of depression and in fact reduces the income of property owners that much more, thus lowering, instead of increasing their ability to pay taxes.

We are informed thatsomething over 100 men are effected in this layoff. May we submit that this will mean reducing if not eliminating rental receipts for 100 property owners of the City. Certainly it will lower the ability of property owners to pay taxes.

If the City sets an example of laying off employes private employers may be expected to follow the lead, adding more and more to a deplorable condition. By destroying buying power of working people the whole business structure of the community suffers.



We wish t... and it also that ... directly contrary to the soli... been laid down b... and Gove...

The ... believe, should set an example of ... so that workin... may work for the ... union charity, ... actually contributing to the ...

We are ... position to ... revised so that ... be ... employes, who ... such a re-... made by the ... of financial control.

...

Mr. Wambolat ma... that the Council, th... explaining exactly wh... It is ... Control in regard to the budget.

Dr. Brookshire ... motion, but ... lost.

...

Taylor Bledsoe, At... ... how the city's profit might ... in accordance with the provisi... devices should be furnished ...

It was moved by M... Wambolat, ... to the City Manager and the Assistant ... Corporation Counsel to ...

A ... to the City ... to the city's ... with ...

Under ... is recorded in ..., ... Section 1. ... proviso that if ... Board of Aldermen ... now about two-thi... has not been ... increase the revenue of the city ...

Back Tax ...

Section 1... improved devices ... company. This would prohibit ... French phones, ... and also give the C... system, in use in ... and other cities, ...

Section 1... higher charges will ... Union. The pri... use is bound to ... elsewhere.

Section ... city is now gettin... on this list, ...

...

Mr. Rigsby, in ... Mrs. C. C. Memminger that the ... good, read a report of the city ... city by the name of Oakland, ... commented that the ...

...

On motion of Mr. Boyd, ... amending Ordinance #187, being ... taxes in the City of Ashe... was passed on its first reading.

On motion, of Mr. ... ordinance immediately put upon ... the ordinance was adopted and ...

ORDINANCE #161

AN ORDINANCE AMENDING ORDINANCE #160, BEING "AN ORDINANCE PROVIDING [illegible] IN THE CITY OF [illegible].

BE IT ORDAINED BY THE CITY OF ASHEVILLE AS FOLLOWS:

Section 1. That Section [illegible] of the City of Asheville be and the same is hereby amended by striking out line five on page three of said ordinance, line five reading as follows: "Oakland Ave., Victoria Rd., Depot St., Glendale R." and that Oakland Road not be changed, and the remainder of said Section 1, remain in full force and effect.

Section 2. This ordinance shall take effect upon passage, public welfare requiring it.

Read and adopted on the following ordinance, this the 4th day of November, A. D., 1941

Platt Rogers
Councilman

Introduced by: Frank S. Smith
Councilman

[illegible]:
[illegible]
CORPORATION COUNSEL

Read, approved and adopted, this the 4th day of Nov., 1941.

Said ordinance was duly adopted, and upon its passage and adoption it was ordered to be published in the Ordinance Book of the City of Asheville, [illegible] Nov. 17, 1941.

Otis Green
Mayor

E. D. Thompson
Clerk.

✓

On motion of M. Hembolat, seconded by M. Woodcock, the City Manager was authorized to establish a full-time traffic engineer for the City of Asheville.

✓

Mr. Rigsby reported he had received an offer to lease the golf course for a period of three years for $[illegible],000.00

Mr. Platt moved, L. Brookshire seconded the motion that the matter be referred to the City Manager for investigation and report.

✓

Mr. Rigsby read a communication from Attorney Jno. H. Cathey, representing a client who had made a proposal to rent the city auditorium for fifteen years for a theatre offering to make improvement amounting to $15,000 and to protect the city with fire and liability insurance.

Mr. Woodcock moved, seconded by M. Smith that the City Manager make an investigation and report to the Council.

✓

Mr. Rigsby reported upon the result of his investigation of the claim of Lewis Penger Store Company for a refund of $300.00 paid for 1931-32 license tax on Chain Store, recommended that this claim be rejected.

It was moved by M. Smith, seconded by M. Platt that the recommendation of the City Manager be adopted.

✓

Mr. Devereux moved, seconded by M. Hembolat that Ordinance #160, entitled An ordinance fixing and establishing building lines on Liberty Street and South Liberty Street be passed on its third and final reading.



ORDINANCE #162

AN ORDINANCE [illegible]
ON LIBERTY [illegible]

BE IT ORDAINED BY THE [illegible]:

Section 1. That [illegible] line [illegible] fixed and established [illegible] Hillside Street [illegible], as follows:

A [illegible] line [illegible] line of Liberty [illegible] to Bonflin Street, [illegible] line [illegible] property line [illegible] Street to "oo Fin[illegible]: [illegible], every person, firm, [illegible] and by proc[illegible]th, [illegible], building on said [illegible] Liberty Street, [illegible], building line [illegible].

Section 2. That [illegible], all provisions of the [illegible] ($[illegible].00) dollars [illegible], on each book is [illegible] the built in line [illegible] constructed [illegible] of this ordinance, to [illegible] to beyond the built in lines [illegible] Section 1 [illegible].

Section 3. That this ordinance [illegible] day of October, [illegible].

C. [illegible]

[illegible]:
J. G. M[illegible]
CORPORATION COUNSEL

Read, approved and adopted, this the 4th day of November, [illegible], to take effect [illegible] of November, [illegible].

Otis [illegible]

E. D. Thompson

There being no further business, the meeting [illegible].

Mayor Otis Green

E. D. Thompson

Thursday, November 12, 1931- 4:30 P. M.

The City Council met in regular session; Mayor Green presiding. Present: Councilmen, Plott Boyd, W. C. Britt, H. G. Brookshire, Wilbur Devendorf, Otis L. Green, Louis Lipinsky, Frank S.Smith, Wickes Wamboldt and Julian A. Woodcock, and City Manager, R. . Rigsby.

A communication from Philip C. Cocke, Jr. Attorney for Mr. Leroy Case, asking to lease from the City a strip of land around the first nine holes of the Municipal Golf Course for the purpose of making a bridle path and the use of a house in the rear of the club house for the purpose of keeping several horses was presented by motion of Mr. Wamboldt , seconded by Mr. Smith referred to the City Manager for investigation and report.

Asheville, N. C.
November 12, 1931.

City Council of Asheville,
Asheville, N. C.

Gentlemen:

Mr. Leroy Case wishes to make through me the following proposition:

Mr. Case wishes to lease from the City of Asheville a strip of land going all around the first nine holes of the municipal golf course for the purpose of making a bridle path thereon; also, the little house back of the club building known as the tool house, this for the purpose of keeping several horses to be used by tourists who wish riding as a recreation. This will not in any way interfere with the playing of golf on the municipal course, as Mr. Case will guarantee to use no part of the course except from three to five feet on the further side of the circle all the way around.

Mr. Case will give the City a flat guarantee of $450 a year or 15 per cent. of his gross receipts. He will expect, however, the City to furnish lights for his shed and water for the horses. Any other expense Mr. Case will personally cover. Mr. Case is desirous of having this outer strip of land not so much for riding, although riding will be done on it, but for the purpose of advertising, as the land to the north and the land adjoining the Haw Creek valley is at this time available for Mr. Case's purpose.

I will thank you to give this matter your immediate attention.

Very truly yours,
Philip C. Cocke, Jr.

PCC:m

The following report of special committee on City Market was read:

After due consideration your Special Committee on City Market wishes to make the following recommendations:

1st. That the land on the East side of the City Market, or so much of it as may be necessary, be graded and covered with rock chips, and laid off for an open-air market for trucks or wagons.

2nd. That all curb markets in the City be eliminated with the privilege of using this space for such marketing at a nominal charge of 25¢ per day for each truck or wagon.

3rd. Improve the present market entrance ways.

It is not the intention of this Committee to recommend restricted zones at the present time as applies to fish or meat, but we are putting the operators of fish markets on notice that any nuisance created by such operation will be justification for extending the zone.

The present cost of operating the Market is approximately $10,000 per year, whereas the revenue as now being paid is about $9,000. It is estimated that there will be some increase in revenue which will practically balance this budget.

The proposed improvements will not exceed $300.00.

Wickes Wamboldt
Frank S. Smith
Louis Lipinsky

Mr. Woodcock moved, seconded by Mr. Devendorf, that the Corporation Counsel be instructed to draft an ordinance covering the suggestions of committee.



November 12, 1931

GOLF COURSE

In reporting upon the result of his investigation of the offer to rent the Municipal Golf Course, Mr. Rigsby recommended that the City retain the present operation of the Municipal Golf Course.

It was moved by Mr. [illegible], seconded by Mr. Woodcock, that the report of the City Manager be adopted.

November , 1931.

REPORT [illegible] MUNICIPAL GOLF COURSE.

It appears that an offer has been made to rent the Municipal Golf Course for the [illegible] years of 1931-[illegible] for the sum of $[illegible] per year.

After [illegible] consideration [illegible], I am of the opinion that the City [illegible] handling out of the Golf Course [illegible] the cost of operation [illegible] making the following [illegible].

The purpose of recreation facilities is [illegible], at the least possible cost, opportunity for recreation should [illegible] wise be available to citizens upon [illegible] for private facilities.

The operation of the Golf Course is not [illegible] additional money, [illegible] of the opinion that the [illegible] the exploitation of this facility, even though the [illegible] slightly above the [illegible] by the City, [illegible] two will in one way or another be paid for by the citizens. Therefore, I recommend that we retain [illegible] Golf Course.

R. . Rigsby, City Manager.

JUVENILE COURT

It was moved by Mr. Woodcock, seconded by Mr. Wamboldt, that the City continue the present operation of the Juvenile Court until further recommendation. [illegible].

ORDINANCE #162 - [illegible]

On motion of Mr. Smith, seconded by Mr.Britt, Ordinance #162- entitled "An Ordinance to Regulate Plumbing within the City of Asheville, being for the immediate preservation of the public peace and safety of the citizens of Asheville it is [illegible] declared an emergency ordinance" was passed on its first reading. All members voting "aye" on the motion.

Mr. Woodcock moved, seconded by Mr. Wamboldt that this ordinance [illegible] on its second reading. All members voting "aye".

Mr. Wamboldt moved seconded by Mr. Lipinsky, that this ordinance [illegible] on its third and final reading. All members voting "aye", the ordinance was [illegible].

ORDINANCE #162

AN ORDINANCE TO REGULATE PLUMBING WITHIN THE CITY OF ASHEVILLE; BEING FOR THE IMMEDIATE PRESERVATION OF THE PUBLIC PEACE AND SAFETY OF THE CITIZENS OF ASHEVILLE IT IS HEREBY DECLARED AN EMERGENCY ORDINANCE.

THE CITY COUNCIL OF THE CITY OF ASHEVILLE DO ORDAIN:

SECTION 1. A Plumbing Inspector shall be appointed and may be removed by the City Manager and shall receive such compensation as may be fixed by said Manager, subject to approval of the City Council.

SECTION 2. The Inspector shall be attached to and under the direct control and authority of the Director of Public Safety, subject to charter regulations, and is hereby clothed with all the power and authority given inspectors generally by the Charter and ordinances.

SECTION 3. The Inspector, as far as may be necessary to performance of his duty, shall have the right--when having on his person and presenting same to the owner or lessee of any property, when so requested, credentials signed by the Director of Public Safety, identifying such Inspector--to enter any building or premises at any reasonable hour for the purpose of locating any unsanitary work, or making any plumbing inspection, without interference or hindrance, and he shall have the power to condemn all unsanitary work and cause the same removed or altered and put in a sanitary condition. Any person who interferes with the Plumbing Inspector in the discharge of his duty shall be subject to the penalty provided by this ordinance.

SECTION 4. The term plumbing shall include and govern all work and materials used in the introduction, maintenance and extension of water supply through a pipe or pipes, connection with boilers or ranges, furnaces or other heating apparatus or any appurtenances thereof in any building, lot or premises, the connection or repairing of any system of drainage whereby foul waste or sanitary water or waste matter is discharged through a pipe or pipes from any building, lot or premises into any public or private sewer or drain on public property, theexcavation or repair of the service pipes of any building, lot or premises, public or private, and generally performing all the work usually performed by plumbers.

SECTION 5. When the word Inspector is used without prefix or suffix it means the Plumbing Inspector.

SECTION 6. The term Sewer is a general term for any system of horizontal piping used to convey the refuse from any building site to a main, public or private sewer.

SECTION 7. The term Private Sewer is a main or branch sewer located either on public or private property not constructed or accepted by the City, as a public sewer, which conveys the drainage of one or more buildings to its public outlet.

SECTION 8. The term House Sewer or Main Drain is a lateral or main drain of the horizontal piping of a house drainage system extending from the house drain to its connection with a main or private sewer and conveying the drainage of one or more buildings located on the same lot.

SECTION 9. The House Drain is that part of the horizontal piping of the house drainage system which receives the discharge of all soil, waste or other drainage pipes inside the walls of any building and conveys the same to the house sewer or main drain on the outside of the foundation of such building.

SECTION 10. The term of Fixture or Fixtures when used in a general sense applies to all receptacles which receive the house sewerage or waste from which water is used as a flux.

SECTION 11. A Trap is a device so constructed as to prevent the passage of air or gases through a pipe without materially affecting the flow of sewerage or waste water therein.

SECTION 12. The Seal of the Trap is the height of a water column measured between the point of overflow and the dip of division level separating the inlet and outlet of the trap.

SECTION 13. The Main of any system of horizontal, vertical or continuous piping is that part of such system which receives the discharge or back vent from fixture outlets, direct or through branch pipes.

SECTION 14. The Branch of any system of piping is that part of the system which extends horizontally to receive fixture outlets not directly connected with the main.

SECTION 15. Stack is a term for any verticaly line of house drainage piping and its branches.

SECTION 16. A Soil Pipe is any pipe which conveys the discharge of water closets with or without other fixtures to the house drain.

SECTION 17. A Waste Pipe is any pipe which receives the discharge of any fixture except water closets and conveys the same to the house drain or soil pipes.

SECTION 18. A Vent Pipe is any special pipe provided to ventilate the drainage or plumbing system of piping and to prevent trap syphonage and back pressure.

SECTION 19. A Back Vent is that part of a vent pipe which connects directly with an individual trap near the fixture and extends either to the main or branch pipe.

SECTION 20. The Soil or Waste Vent is that part of the main soil or waste pipe above the highest installed branch or fixture outlet connection, extending through the roof.

SECTION 21. A Circuit Vent is a system of venting by which the syphonage and back pressure on the seal of traps is prevented by extending the branch or waste pipe, and connecting them with a main or any auxiliary vent stack which vent stack in conjunction with the main soil or waste vents, completes and forms a continuous air circuit or air vent for each branch so installed.



SECTION 22. A Loop Vent is a modified [illegible] vent [illegible] branches of soil [illegible] above them, loop over [illegible] with main soil or waste lines.

SECTION 23. An Auxiliary Vent is an additional stack [illegible] vent which passes through the roof independently.

SECTION 24. By an Outside Set Closet is meant [illegible] stalled in a building [illegible] Plumbing will [illegible].

SECTION 25. The Flow Line of a fixture [illegible] point of same.

SECTION 26. The given caliber or size of a pipe [illegible] normal diameter, [illegible] its center line.

SECTION 27. By Rerching-In is meant [illegible] including house [illegible] grounds to [illegible].

SECTION 28. By Final is meant when all fixtures [illegible] soil waste, vent, [illegible] ing pipes [illegible].

SECTION 29. By Minor Repairs is meant [illegible] opening up waste [illegible] ing broken fixtures [illegible] water pipes.

SECTION 30. By Cesspool is meant [illegible] yard and opening [illegible].

SECTION 31. Terms not herein specifically [illegible] the manner commonly accepted, as the interpretation [illegible] furnished by the Plumbing Inspector [illegible].

SECTION 32. All plumbing and house drainage [illegible] drainage system [illegible] of Asheville shall [illegible] according to the provisions of this ordinance [illegible].

SECTION 33. Before any portion of the plumbing or drainage system [illegible] building shall be constructed, or before any change, alteration is made in any existing system, an application in writing must be filed with the Plumbing Inspector, showing the nature of the proposed work or change, alteration or audition. If the proposed new work or alteration complies to the provisions of this ordinance, the application shall be approved and a written permit for the work shall be issued by the Plumbing Inspector, upon the payment of the prescribed fee.

SECTION 34. All permits shall be good for the continuous performance of the work named therein. Permits shall automatically expire when work ceases for a continuous period of ninety days or shall finally expire upon completion of the work for which it was issued.

SECTION 35. No person, firm, or corporation [illegible] plumbing or drain laying in the City of Asheville shall [illegible] or their names to [illegible] by any person, directly or indirectly, [illegible] permit or for the construction of any work under it, [illegible] nor shall he, it, or they, make any misrepresentation [illegible] its or their application or returns. Any person, firm or corporation [illegible] ing or refusing to [illegible] by this section thereby [illegible] or their license.

SECTION 36. Every person, firm or corporation in charge of, [illegible] trolling any house or building used as a residence or other purpose, shall provide and maintain for each and every house, a sufficient [illegible] rate sanitary toilets of approved type, installed in accordance with the provisions of this ordinance and shall connect the same with the sanitary sewer system of said City and in connection therewith shall keep the same connected with the water system of said City and in good repair at all times; and shall keep the premises in any street of said City, every house or building from which [illegible] separately and independently connected therewith.

SECTION 37. All interior water closet compartments shall be ventilated by means of window or air shaft, opening into the open air, [illegible] be less than one square foot in area for each toilet.

SECTION 38. The general water accomodation [illegible] be so located and constructed that no offense or nuisance will be committed.

SECTION 39. All water closets within the house shall be supplied [illegible] from special tanks, the water of which is not used for [illegible] closets, except closets placed in the yard, shall not be supplied [illegible] supply pipes. A group of closets may be supplied from one tank; but not connecting closet or long hopper will be allowed within, under, or attached to, any house.

SECTION [illegible]. [illegible] shall be set on legs [illegible] all have extension [illegible] brass ferrules wiped on and caulked [illegible] setting closet bowl on any other than wood [illegible], a brass floor ring must be heavily soldered to lead bend with [illegible] bolts firmly fastened to said brass ring. All closet bowls must be [illegible], or other suitable preparation, and in all cases screwed [illegible] floor with brass closet screws.

SECTION 44. All stable or yard closets shall consist of bowl known to the trade as [illegible] flushing rim hopper, caulked into bell of soil pipe, or [illegible] floor with lead connection; all yard closets shall be flushed by an [illegible] flush tank with pull. Long rim hopper may be installed on [illegible] where there is no door opening into closet from bed rooms or [illegible], the same shall be entered from porch, and door shall be [illegible]. The fixture shall have a four inch vent of soil [illegible] not less than three feet from closet.

SECTION 45. All closets that are flushed by what is known to the trade as [illegible] top flush for closet.

SECTION 46. [illegible] pipes and traps shall be protected from freezing by [illegible] with valves; the compartments of such water closets shall [illegible] with a slatted or screened opening; said closet shall [illegible] through the closet bowl. Soil pipe shall extend [illegible] with cast iron soil pipe and fittings to be extra heavy, uncoated.

SECTION 47. Pan, plunger, offset, washout, closet, washout pan closet, [illegible] hopper closets or the former house trap shall not [illegible] prohibited built in [illegible] on any premises. Such closets and [illegible] nuisance shall be removed or when same are removed [illegible] not again be installed. In alteration any the above [illegible] removed.

SECTION 48. No person, firm or corporation shall build on any lot or parcel [illegible], cesspool, catch basin or cess pool for the purpose of receiving any [illegible] separate from any house or houses, unless so authorized by the [illegible] Works in writing. If such permission is granted the house [illegible] shall comply with all rules and regulations and requirements of this ordinance.

SECTION 49. All plumbing in streets and alleys shall be done by the City [illegible] the provisions of this ordinance; and no person other than [illegible] the City shall be allowed to tear up or disturb any pavement or any [illegible] for the purpose of putting in any new plumbing work, or for the purpose [illegible] or removing any obstruction from any plumbing already in; and no [illegible] the City Plumber, or someone under his supervision, shall be [illegible] any sewer or water main without permission of the Director of Public Works.

SECTION 50. All connections with any sewer or water main shall be made [illegible] at the place, and under the rules and regulations prescribed [illegible] by the City Council. All such connections shall be made [illegible] to be built in to be served. No separate or independent [illegible] shall be carried over and across other property and lots, where [illegible] conditions will allow it accessible and practicable, and provisions for [illegible] have been as may be provided. The City with reinforcements in [illegible] to be connected, unless by special permission had, [illegible] Director of Public Safety.

SECTION 51. [illegible] by sink, under fixtures, drains from ice boxes, refrigerators, [illegible] and all other such drains, shall not be connected directly [illegible] sewer, but if soil waste empty into sewer they shall first discharge into [illegible] sink; sinks in connection with soda fountains shall be [illegible] plumbing fixture. All drains from ice boxes and soda fountains shall not be less than one inch galvanized pipe (internal diameter) and of sufficient size if two or more are connected together. Each ice box, soda [illegible] refrigerator drain shall be separately trapped [illegible] inlet [illegible].

SECTION 52. Floor drains for garages and other places where sand and dirt passes through shall consist of a deep seal trap with a back water valve, [illegible] perforated cover; trap to be so constructed as to catch the [illegible]; all floor drains in basement shall be of deep seal pattern with [illegible] water valve. Floor drains for shower stalls and bath rooms shall be of [illegible] pattern with [illegible] brass strainer with proper flange to receive [illegible], tile or cement floor. All patterns or floor drains must be approved by the Plumbing Inspector and comply with the foregoing regulations. All shower stalls shall be provided with a receptor approved by the Plumbing Inspector, and [illegible] in a manner approved by the Plumbing Inspector.

SECTION 53. Area drains of not more than one hundred square feet may be connected to the sewer, but must be the same as that specified for garages; before connecting any area drains to the sewer, permission must first be obtained from the Plumbing Inspector.





SECTION [illegible]. [illegible] must be galvanized [illegible], completely [illegible].

SECTION 54. [illegible] plumbing work, [illegible] Dictionary [illegible] of the Board of Plumbing [illegible], [illegible] ation of water [illegible] Door shall be [illegible] Plumbing Inspector, [illegible] by the City Council, [illegible] City Health Officer.

SECTION 55. If application [illegible] above date [illegible] applicant. The [illegible] or journeyman plumber [illegible] plumber's work, [illegible].

SECTION 56. [illegible] built [illegible], [illegible] or construction work [illegible].

SECTION 57. [illegible] of Asheville, before [illegible] of the City Plumbing [illegible] give such application [illegible] notice. The Plumbing Inspector shall [illegible] such application, [illegible] shall be issued [illegible] upon such examination. If [illegible] to notified by the [illegible] Inspector [illegible] person failing [illegible] ninety days to the [illegible].

SECTION 58. [illegible] plumbing for each [illegible] shall be required [illegible].

SECTION 59. No [illegible] connection with [illegible], private, [illegible] or directions, in [illegible] premises, or [illegible].

SECTION 60. All [illegible] plumbing [illegible] material to be [illegible] shall be [illegible] other part of the [illegible] cover described above [illegible] for tests in all [illegible] tests shall be [illegible] complete; no test [illegible] plumbing [illegible] provisions of this [illegible] premises there shall [illegible] certificate of approval [illegible] owner then shall receive [illegible] first obtained such [illegible] of approval.

SECTION 61. [illegible] in charge when the plumbing [illegible] is complete and [illegible] be made as soon as [illegible] required, [illegible] by the Plumbing Inspector, it shall be [illegible] direction of said Inspector, [illegible].

SECTION 62. (1) All [illegible] blank forms to be furnished [illegible] accompany applications.

(2) [illegible] by the Inspector [illegible] second test and inspection.

( ) ... job ... stack carried to roof, ... final test.

( ) ... stacks ... in ... an extra fixture or fixtures ..., ... out an additional stack, said work must be ..., at completion of said job there shall be ... inspection, ... all said work or jobs shall conform with all requirements ...

( ) ... closets where said closet traps are to be filled with water, ... inspection or completion of said job.

( ) ... shall be tested ... by water and final inspection except those ... specified.

( ) ... tests must be made at completion of roughing-in ... of any job.

( ) ... special case inspection may be deferred for a length of time not to ... specified above.

( ) ... fixtures shall be inspected but not ... when such ... are roughed in.

( ) ... plumbers, corporations or persons who are engaged in the plumbing ... shall notify the Plumbing Inspector of all such traps installed ... written notice provided for that purpose, so that the Inspector may ... said jobs in order that the workmanship and materail conform with this ... ordinance.

SECTION 67. All main sewer lines from house to street in said City shall be ... with four inches of hard soil pipe, which shall be caulked with lead and ... ; no water test will be required for this line but same will be inspected by ... City Plumbing Inspector.

SECTION 68. The arrangement of all soil and waste pipe shall be as direct ... possible, and all material shall be of good quality and free from defects, ... in a thorough and workmanlike manner.

SECTION 69. All soil and waste pipe must be of cast iron ... with a grade ... not less than 1/4" to the foot, and when closets discharge into it the soil ... shall not be less than four inches in diameter. All changes in ... with long curve bends or long sweep fittings or 1/8 ..., ... shall be permitted where it is impossible to use long sweep ..., with ... no ... shall ... waste line in accessible places; the soil pipe from ... soil ... must ... at a point not less than three feet from outer line of ... wall, ... soil or waste pipe passes out under porch wall; extra heavy iron pipe must be extended not less than three feet from said wall. All sink waste lines five feet or more in length shall have a cleanout in most accessible place.

SECTION 70. Every vertical soil or vent pipe shall extend at least six (6) inches above the roof, measuring from upper side of the pipe, and must be at ... fifteen (15) feet distant from any window or opening to room or contiguous property, except where measuring from top of window around eave of roof to top of vent, this distance must not be less than five (5) feet.

SECTION 71. All joints in iron ... pipes, both soil and waste pipes, ... shall be filled with oakum and lead and hand caulked as to make them watertight. All horizontal lines of cast iron soil, waste and vent pipes shall be supported with suitable hangers not more than eight (8) feet apart.

SECTION 72. All cast-iron pipes and fittings must be sound and smooth and of uniform thickness of the grade known in the trade as extra heavy uncoated; the pipe including the hub shall not weigh approximately less than the following per lineal foot; two-inch 5-1/2 pounds; three-inch, 9-1/2 pounds; four-inch 13 pounds; five-inch, 17 pounds, six-inch, 20 pounds, eight-inch, 33-1/3 pounds.

SECTION 73. No four-inch soil or waste lines shall carry more than eighteen water closets, or its equal in smaller branches.

SECTION 74. Fifteen 1-1/4" openings shall count as one four-inch opening. Ten 1-1/2 inch openings shall count as one four-inch opening. Five 2-inch openings shall count as one four-inch opening. Three 3-inch openings shall count as one four-inch opening.

SECTION 75. Screw Pipe or Durham work is allowed only when work is installed throughout job, and only drainage fittings of the degree herein specified for soil pipe can be used. All pipe must be reamed and screwed into fittings so as to have a perfect shoulder. Screw pipe or Durham Work will be permitted in old houses, but permission must be obtained from the Plumbing Inspector before the same can be installed. When screw pipe or Durham Work is installed the drain under ground shall be soil pipe and fittings. In a store room where drain pipes are run on ceilings screw pipe may be used on horizontal runs.



SECTION 76. All ... lines ... will ... stack ... or more ... must continue on ... roof ... in size; ... feet or more in length ... continue through roof ... case shall closet or ... more than ... run from main soil line.

SECTION 77. All ... in soil or waste ... greater than 60 degrees ... bends may be used on vent ... degree. No double ... fittings will ... No tapped fittings will ... made by caulked joints.

SECTION 78. All fittings, ... split fittings, ... nor any other than ... pool, shall ... or vent pipes, ... Inspector. No ... allowed in making a joint ... or trapped openings, ... fittings, ...

SECTION 79. ... pipe is used to connect fixtures ... or to connect traps ... pipe it must not ... pipe.

SECTION 80. All ... pipes and bends must ... weights:

1-1/2 ... , ... one-half pounds per foot.
2 " five pounds per foot.
3 " six pounds per foot.
4 " eight pounds per foot.

SECTION 81. All urinals placed in public or private ... sanitary pattern of either vitreous or iron enamel; urinals ... slate back shall have ... spacing material for floor ... allowed on a wood, metal or plaster wall; iron ... urinal trough.

SECTION 82. All floor slabs for urinals shall ... and vented. The vent from the slab ... trap shall ... and vent shall be connected ... prescribed.

SECTION 83. ... water leaders shall not ... pipes, and in no case shall rain water leaders, be connected to the City ...

SECTION 84. All traps under sinks, lavatories, ... tubs and for all plumbing fixtures must be protected from ... the house, and waste pipes ... from them must ... and in no case shall they be ... as follows: two-inch pipe for ... one and one-quarter inch pipe for one lavatory; ... one-half inch pipes; five or six lavatories, ... laundry trays and urinal ... must be one and one-half inch pipe ... of these fixtures, and ... three or more of these fixtures ... inches in diameter. All ... same size as traps ... ratio as the vents as ... shall be provided with ... All pedestal slop sinks shall have the same size waste ... One two-inch vent line shall not prevent more than six closets ... other fixtures. No ... vent shall be used as a soil or waste line.

Wet vents are permitted to be used for tubs, ... laundry trays ... closets, when installed ... vent ... are permitted to ... lines for lavatories, sinks and ... vent ... and vent ... shall be of the ... is known to the trade ... the waste outlet ... the fixture as a vent; ... permitted to be used. ... vent tee, the ... of a wipe joint.

SECTION 85. ... of trap.

SECTION 86. All vents or revents may be connected ... main vent not less than six inches above the highest fixture ... any vent or revent ... together below any fixture ... as a revent.

SECTION 87. No ... the heel of a lead ... below the level of the ... of the ...

SECTION 88. All horizontal lead waste or vent pipe ... inches in diameter, connecting together, must ... degrees. All horizontal lines of lead pipe over one foot in ... supported every twelve inches.

SECTION 85. There shall be dead wood or backings behind all hanging fixtures to give solid support for same.

SECTION 86. No vent shall be farther away than two feet from the trap in which it serves, except except where otherwise specified. No horizontal line of vent shall be over [illegible] in length, below overflow point of fixture which it serves.

SECTION 87. Where vent pipes extend through rood, they shall be flashed with lead, to prevent rain from flowing not less than 26 gauge, with lead ring caulked to stack, or a flashing made of sheet lead or copper may be used, the lead to weigh not less than four ounces per square foot and said copper to weigh not less than [illegible] ounces per square foot.

SECTION 88. All clean outs shall be extra heavy, with tapering brass screw plug of same diameter as waste which it serves; four-inch plugs to weigh not less than one pound, all others must be in same proportion.

SECTION 89. Where the top fixture is a water closet, and not over five feet from the stack, horizontally measuring, waste line from stack to finish over trap, a special air vent will be required. Where two closets or the top fixture is not over three feet from stack no revent will be required for [illegible]. Where two closets are installed on the same stack, one on the first floor and one on the second, no revent will be required for the closet on the second if the closet is not more than five feet away from soil pipe [illegible] the soil pipe must be four inches in diameter as specified for drains, lavatories, bath tubs, laundry trays, drinking fountains, cuspidors; not more than two fixtures may be installed on four-inch line where there is a closet [illegible] fixtures without reventing the closet under the above mentioned [illegible].

SECTION 90. All connections between lead and iron must be made with an [illegible] by brass ferrule or solder nipple same size in diameter as the lead. [illegible] ferrules, nipples shall be of sufficient length to leave wiped joint clear of caulked joint. All joints between lead and lead; lead [illegible] must be wiped joints. All cleanout screws on lead traps [illegible] wiped joints. In no case will a soldered or overcast joint be allowed. [illegible] made with a soldering iron or torch, known to the trade as overcast joints, sweat joints, cup joints or blow joints, will be allowed on any soil, [illegible] vent, revent or supply pipe connection.

SECTION 91. In no case will a washer or slip joint be allowed on the [illegible] of any trap or connection.

SECTION 92. Ani-syphon traps may be used when it is impracticable to vent; [illegible] the above mentioned traps can be installed. permission must be obtained from the Plumbing Inspector. All makes of anti-syphon traps must first be approved by the Examining Board.

SECTION 93. Traps for bath tubs shall be either lead P or running trap [illegible] from trough; lead traps shall weigh not less than three and one-half pounds per running foot and shall be not less than one and one-half inch internal diameter; lami-mac P or S traps will not be allowed. Drum traps shall not be less than four by eight inches and weigh not less than eight pounds per running foot; all drum traps shall have at least three-inch seal; inlet and outlet shall be connected at bottom portion of trap.

SECTION 94. Every water closet, urinal, sink, basin, wash tray, bath, and every tub, set of tubs, and by-pass waste pipes and every floor and court [illegible] in connection with a sewer shall be separately and effectively trapped.

SECTION 95. Traps shall be placed as near the fixture as practicable and in no case shall a trap be more than two feet from the fixture, except as to outside water closets.

SECTION 96. All waste pipes from fixtures, other than water closets, shall be provided at the inlet of such fixtures with strong metallic strainers to exclude from such waste pipes all substances likely to obstruct them.

SECTION 97. In no case shall the waste from both tub or other fixtures be connected with the water closet trap.

SECTION 98. No firm or corporation shall engage in the business of master Plumbing Contractor within the City of Asheville unless and until he, they, or it shall have first filed a bond with an approved surety company, as surety, in the sum of one thousand ($1,000.00) dollars, payable to the City of Asheville and conditioned upon the faithful performance during the stated period of license of all work in compliance with the provisions of this ordinance and that the City of Asheville shall be indemnified, defended and kept harmless from the consequence of any and all acts or omissions, negligence or alleged negligence of the said licensee during the period covered by said bond.



[illegible] the same in the office [illegible] plumbing inspector, [illegible] the permanent [illegible] in the City of Asheville, [illegible] to a new location [illegible].

SECTION 99. [illegible], fire, [illegible] in, [illegible], refusing or neglect [illegible] with the [illegible] of this or [illegible], [illegible]; [illegible] by the [illegible] decision over, [illegible]; [illegible] or [illegible] failure to [illegible] to mention, shall [illegible].

SECTION 100. The [illegible] plumbing in connection [illegible]:

| | | |
|---|---|---|
| 1 to [illegible] | fixtures | $ 7.75 |
| [illegible] | " | [illegible] |
| [illegible] | " | [illegible] |
| [illegible] | " | [illegible] |
| [illegible] | " | 13.75 |
| [illegible] | " | 15.00 |
| 50 to [illegible] | " | 17.25 |
| 60 to [illegible] | " | 19.50 |
| [illegible] | " | 21.75 |
| [illegible] | " | [illegible] |
| [illegible] | " | [illegible] |

All over 100 fixtures, [illegible] per fixture

[illegible] shall also be [illegible] of [illegible] ($1.00) [illegible] of permits for [illegible] issued by the Examining Board of Plumbers.

SECTION 101. That this ordinance repeals ordinance [illegible], entitled "An Ordinance to Regulate Plumbing within the City of Asheville", except that ordinance #97 that is [illegible] in full ordinance; and all ordinances, clauses or ordinances in conflict with this ordinance are hereby repealed.

SECTION 102. That this ordinance, being for the immediate preservation of the public peace and safety of the citizens of Asheville, and there being an emergency or instance, it is hereby declared to take effect from and after its passage and first publication in a newspaper published in the City of Asheville.

I move the adoption of the foregoing ordinance, this the 16th day of November, 1931.

Brank S. Smith

Seconded by: [illegible] C. Smith

APPROVED AS TO FORM:

J. S. Merrimon

CORPORATION COUNSEL

[illegible] 1931. [illegible], Corbett, and Cooper, [illegible] the [illegible] day of [illegible],

Rule suspended and immediately put upon its [illegible] passage and adoption and ordered to be an ordinance of the City of Asheville, effective according to [illegible], November 16, 1931.

Otis Sherrill
MAYOR

F. G. Thompson
CLERK.

adjourned. There being no further business, [illegible].

Mayor [signature]

City Clerk.

Thursday, November 19, 1931 [illegible] P. M.

The City Council met in regular session, Vice Mayor Lindsay presiding. Present: Councilmen, [illegible] Smith, Louis Lipinsky, Wickes Wambolt, Julian Cooper, [illegible] Elliott Boyd, City Manager R. W.Rigsby and Acting City Attorney [illegible]. Minutes of the previous meeting were [illegible] and approved.

[illegible] resolution [illegible] by the Central Labor Union [illegible] petitioning [illegible] the question of the [illegible] of employees, the reduction [illegible] restoration of the budget to restore employment to some of [illegible].

[illegible].

[illegible] from the Asheville Chamber of Commerce in regard to suggestion under the Private Laws of North Carolina of 1929, [illegible] motion of Mr. Wambolt, seconded by Mr. Woodfin and carried [illegible].

November 18, 1931

[illegible]
City [illegible]
Asheville, N. C.

Gentlemen:

[illegible] received, through your City Manager R. W. Rigsby notification that the annual budget adopted by your body contains [illegible] appropriation for City promotion under the Private Laws of North Carolina of 1929, Chapter 72.

The Chamber of Commerce is disposed to cooperate heartily with the efforts of your body at municipal economy and the reduction of expenditures; and they accept, with thanks, this appropriation for the present, but without any waiver of, or prejudice to, their rights under the clause of the Act above quoted, which [illegible] defines the minimum appropriation to be made the basis of the proposed tax levies, and of course it will be expected that any surplus [illegible] under the present budget will be applied to [illegible] and retaining, and with the same limitation [illegible].

This means, of course, that we appreciate the laudable motives underlying your body in making this item in your budget, but do not [illegible] in season, or that you do, expect us to waive without [illegible] our rights to the minimum appropriation specified in the [illegible] Act, though this does not mean that at present we care to insist on such rights, but only that your body will recognize by [illegible] such minimum appropriation at the earliest practicable moment.

Respectfully yours,

ASHEVILLE CHAMBER OF COMMERCE
J. G. Stikeleather
President
Fred L. Seely
Manager.

[illegible] J. [illegible] Boyd, Attorney, filed notice of claim for damages for [illegible] Bonds, which upon motion of Mr. Woodfin, seconded by Mr. Britt was referred to the Corporation Counsel and the City Manager.

STATE OF NORTH [illegible]
COUNTY OF BUNCOMBE.

[illegible] HUMPHREYS, PLAINTIFF
vs.
THE CITY OF ASHEVILLE
J. J. TURNBULL DEFENDANTS

NOTICE OF CLAIM FOR DAMAGES FOR PERSONAL INJURY.

TO THE CITY OF ASHEVILLE
AND
TO THE HONORABLE MAYOR AND CITY COUNCILMEN
OF THE CITY OF ASHEVILLE:

OSCAR HUMPHREYS, of the County of Buncombe, hereby files his claim and notice of claim against the City of Asheville, North Carolina, for damages for personal injuries sustained by him, and to that end hereby sets forth:

I.

That the residence of the claimant is in the City of Asheville, North Carolina.



II.

That [illegible] sustained [illegible] Thursday, November [illegible], 1931.

III.

That [illegible] of the [illegible] sustained on [illegible] Warehouse in [illegible] Asheville, North [illegible].

IV.

That [illegible] under the [illegible] to-wit:

That [illegible] on the [illegible] driven by one [illegible], at the [illegible] Depot Street [illegible] McConnell Bottling [illegible] Automobile [illegible] J. J. Turnbull [illegible] directly in front [illegible] by J. [illegible] any warning, the [illegible] that the [illegible] fractured the [illegible] and [illegible] that he is now confined to the Hospital, [illegible] at least the [illegible] ($ [illegible]).

V.

That [illegible] the negligence [illegible] and [illegible] through its agent, [illegible] and reckless manner [illegible] damages were sustained [illegible] of the [illegible] plaintiff.

VI.

That [illegible] Asheville, in the [illegible] Buncombe ([illegible])

[illegible]

[illegible]

[illegible]

[illegible]

[illegible]

The request of [illegible] P. Boyd [illegible] leading to Hall Fletcher [illegible] Fulton Cleaners be granted [illegible] Eliminating to the [illegible].

[illegible]

The request of [illegible] Signs Hanover Street and Pennsylvania [illegible] Hanover Street and [illegible] of Mr. Rambolt seconded [illegible] Oak [illegible].

[illegible]

Mr. Rigsby [illegible] by Mr. John M. Cathey [illegible] Committee [illegible] to consider [illegible] negotiations [illegible] Council.

(Copy of [illegible])

November [illegible], 1931.

Since [illegible] proposal [illegible] to recondition the City Auditorium, [illegible] lease-rights for [illegible] for [illegible] years, [illegible] consideration to this proposal, [illegible] it in lieu the [illegible].

G. W. Burnett, claimant above named, being first duly

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Sworn to and

(seal)

My Commission

9-18-

Approved by:

...cation from the Legislative Ad... ...dents
...ion ordinance [illegible] the ... and
...ing the production of [illegible] ... in
...ion of Dr. [illegible], ... by
...ney.

..., ... appointment ... City-County
...ed in the ... certain items ... Commission
...statement ... be made ... Commission
..., ... also suggested that the committee not
... limits. supplemented

... Order for ...

... of his investigation ... of
..., to improve the city's profits by increasing the tax
... providing ..., City Attorney
... by Mr. Pritchett, the City Council
... the minutes. All members of Council
... report.

... as follows:

... 1, 1951.

...: ... Bell Telephone & Telegraph Company, Inc.
...

...:

... Bledsoe, Attorney, 4% Law Building, ...,
... City Council, ... on May ..., ...
... to telephone rates in ..., ... investigation, and in reply to ..., ...

The Southern Bell Telephone & Telegraph Company, Inc. was ... by the City of Asheville in 190..., ... for ... 400. I find that in 1911 the ... (1,...) ... subscribers, which rate remained in effect ... 1950, effective ... December 31, 1950. With the approval of the City of Asheville and the North Carolina Corporation Commission the telephone company ..., making some increases and some ... The only ... is the rate area to conform to the present city limits. ... that date the tax rate was increased from 1.[illegible] percent to 1.[illegible] percent, which, in my opinion, is in accordance with the provisions of the franchise.

With reference to Mr. Bledsoe's suggestion as to the French telephones ... their ... rated in Baltimore and Washington, I am reliably informed that the Chesapeake and Potomac Telephone Company, ... operating in the District of Columbia, quotes but one flat rate or ... unlimited service, ... rate of $4.75 per month for residence individual line service, which rate is about 40 percent more than the ... rate for this class of service. All other classes of service in the District of Columbia are on a message rate basis while the ... rates are on unlimited service basis.

Mr. Bledsoe ... in line of suggestions: "Section 14 ... provides for [illegible] of approved improved devices as ... similar ... for cities by the telephone company. This would prohibit ... charge of fifty cents per month for French 'phones which ... not charged in Baltimore and Washington, and also give the City Council the right to demand and have installed the dial system, in use in Durham and other cities, at such times as they desire." I am unable to find that this section in the franchise provides as Mr. Bledsoe has stated. Section 14 provides that "the said company hereby agrees and binds itself to establish and maintain ...



...

(...

DMcD

...

...

...

December 3, 1931

December 3, 1931

to ...

... Rigsby ...

Public ... :

... C. Hentz, ... Superintendent ... City ... the City ... Charities ... Institute ... Charities ... the ... property ... Council ... Finance ... property ... City ... title.

... Woodcock, that the Director of Finance ... property ...

... :

... OF HOAR:

... Consolidated Statutes, ... City ... number of public ... and ... poor an ... Institute of the City;

... Associated Charities is a well organized ... to obtain the facts regarding the propriety and ... poor an ... Institute of the City, it would seem best that such matters be handled by the Associated Charities as the agency or system contemplated in the Consolidated Statutes, and we would therefore ... resolution substantially as follows:

... Rigsby ... :

... City. ... manager, ... City ... to make such ...

... City ... interests of ...

... attempted ... devoted basis. ...

... answer ...

E. G. Thompson
City Clerk

Thursday, December 10, 1931- 4:30 P. M.

The City Council met in regular session; Mayor Green presiding. Present: Councilmen, Frank S. Smith, Wilkes Wamboldt, Julian A. Woodcock, Ottis L. Green, Wilson Sevenoff, H. J. Brookshire, W. C. Britt and Plott Boyd, City Manager, R. W. Tilsley and Assistant Corporation Counsel D. C. Lentz. The minutes of the previous meeting were read and approved.

A resolution creating a joint debt committee representing the County of Buncombe and the City of Asheville and defining its duties was on motion of Mr. Woodcock, seconded by Mr. Britt, unanimously adopted.

A SOLUTION CREATING A JOINT DEBT COMMITTEE REPRESENTING THE COUNTY OF BUNCOMBE AND THE CITY OF ASHEVILLE AND DEFINING ITS DUTIES.

WHEREAS, it is recognized by the County Commissioners of Buncombe County and the City Council of the City of Asheville that prompt action relative to the debt burden is fundamental and necessary to the progress of this community, and it is the conviction of these boards that this community will be hampered in business, that opportunities will ber seriously hampered, and future activities paralyzed, so long as these disquiting conditions last; and

WHEREAS, it is recognized that the security holders are not willing to enter into any discussion or relinquishment of their rights so long as there exists in this community a condition of uncertainty and diversity of opinion in the public mind, which would naturally jeopardize the possibility of meeting any adjustment or redistribution of the community debt; and

WHEREAS, it is recognized that there must be created in this community a harmonizing influence ofunited public opinion which will tend to emphasize on the one side the necessity for an early conference and adjustment of the debt burden, and on the other sidepractical assurance that such adjusted burden will be met,

NOW, THEREFORE, BE IT RESOLVED that a committee of seven citizens of Buncombe County and the City of Asheville be chosen as a joint debt committee the purpose and duties of such committee being outlined as follows, to-wit:

1st: To collect such information as may be necessary to present a basis of debt adjustment to the security holders or their representatives, which will be fair both to the tax payers and property owners of this community as well as to the creditors, and to harmonize as far as possible and coordinate the various organizations of this community, which will tend to create a united public opinion, so thatwhenever an agreement is entered into, there may be guaranteed the fullest assurance of it being met.

2nd: That this committee give full play to the vision of the future of this community as a basis for redistribution of the debt, and that the committee request as soon as possible a conference with the representatives of the security holders for the purpose of arriving at a tentative outline for handling the debt question, which outline is to be reported back to the joint meeting of the two boards for consideration.

Be it further resolved that in order to facilitate the operation of this committee, such appropriation will be made by the two boards on a fifty-fifty basis as will enable this committee to procure the necessary secretarial service and defray necessary expenses in carrying on this important function, and offices will be assigned in the City Hall as the location of the secretariat.

Be it further resolved that the legal services available to the two boards will be available to this committee, andthe Chairman of the Board of County Commissioners and the Mayor of the City of Asheville are made ex-officio members of this committee.

This the 30th day of November, 1931

Claude L. Felmet
Chairman Board of County Commissioners
Ottis Green
Mayor City of Asheville.



The following constitute the City County Debt Committee appointed by the joint meeting of the Board of County Commissioners of Buncombe County and the City Council, held November 30, 1931:

Frank Laycock
Reuben B. Robertson
H. L. Ellis
Guy Green
Andrew Bennett
J. G. Speed
Herbert D. Miles.

Notices of claim for damages by R. G. Young and Clora Young on account of personal injuries to Mrs. Clora Young were presented and on motion of Mr. Woodcock, seconded by Mr. Smith referred to the Corporation Counsel.

STATE OF NORTH CAROLINA, )
COUNTY OF BUNCOMBE )

TO THE HONORABLE BOARD OF COUNCILMEN FOR THE CITY OF ASHEVILLE, NORTH CAROLINA

Pursuant to the requirements of the statutes, theundersigned, R. G. Young, hereby gives notice to said City of the happening or infliction of an injury to his wife, Clora Young, as follows:

-1- That the date of the infliction of said injury was October [illegible], 1931.

-2- That the place of happening of said injury or infliction of his said wife was at the Recreation Park in the City of Asheville, [illegible] elephant enclosure and more specifically where the large Eskimo sledge dog is kept.

-3- The manner of infliction to the wife of the claimant was:

That while she was visiting said Recreation Park on the date hereinbefore mentioned, a large Eskimo sledge dog, the property of the City of Asheville, was allowed to have the range afforded it by said City, in that it was tied to some rope or wire along which said dog could walk; said dog was not enclosed in a [illegible] lot where the public was protected from it, and the wife of this claimant was walking along on oneof the pathways in said Recreation Park when said large Eskimo sledge dog sprang upon claimant's wife knocking her down and causing personal injury, lacerating her limbs, breaking one limb, and otherwise seriously injuring her body.

-4- That the amount of damages claimed therefor is [illegible] Dollars.

That if the Board of Councilmen declines to pay or settle the [illegible] demand hereby made in writing as presented, or for ten days after [illegible] neglects to enter upon its minutes its determination in the premises thereto, that an action for damages against said City will be instituted by the claimant.

Respectfully submitted,
R. G. Young.

STATE OF NORTH CAROLINA, )
COUNTY OF BUNCOMBE. )

TO THE HONORABLE BOARD OF COUNCILMEN FOR THE CITY OF ASHEVILLE, NORTH CAROLINA:

Pursuant to the requirements of the statutes in such cases made and provided, theundersigned, Clora Young, hereby gives notice to said City of the happening or infliction of an injury to the undersigned claimant, as follows:

-1- That the date of infliction of said injury was October [illegible], 1931.

-2- That the place of happening of said injury or infliction thereof was at the recreation Park operated and controlled by said City at a point immediately north of the elephant enclosure in said Park, and at the place where the large Eskimo sledge dog of the City of Asheville was kept on the date above mentioned.

-3- The manner of such infliction was:
That while the undersigned was walking on the pathway in said Recreation Park, a large Eskimo sledge dog while not enclosed within a fence or other place so as to protect the people visiting said Recreation Park, and while allowed the liberty of moving from place to place within said Park by reason of being fastened to a cable which permitted said dog to move about in said Park, the said dog viciously sprang upon the undersigned claimant cutting and lacerating her limbs, breaking a leg, and otherwise seriously injuring her body.

December 19, 1931

-4- That the amount of damages claimed therefor is Five-thousand ($5,000.00) Dollars.

That if the Board of Councilmen declines to pay or settle the claim or demand hereby made in writing, as presented, or for ten days after such presentation neglects to enter upon its minutes its determination in relation thereto, that an action for damages against said City will be instituted by the claimant.

Respectfully submitted,

Cloma Young

Notice of claim for damages for personal injuries by John Smith, through his attorney, Zeb F. Curtis, was filed and on motion of Mr. Smith, seconded by Mr. Woodcock, referred to the Corporation Counsel.

November 19, 1931.

To the City of Asheville
and the Honorable Mayor of Asheville
and City Councilmen.

Gentlemen:

Take notice that the undersigned, John Smith, hereby claims and demands damages in the sum of Two Thousand Dollars ($2,000.00), from the City of Asheville on account of serious and permanent injuries to one of his legs and other portions of his body, sustained by him on the 17 day of October, 1931, growing out of and as a result of the undersigned stepping or falling into a man-hole orwater meter hole on the west side of Scott Street or public alley, at about 9 o'clock in the evening, which man-hole or water meter hole the City of Asheville, through its agents, servants and employees, had carelessly and negligently permitted to be and remain open or uncovered and unguarded, and which street or public alley the City carelessly and negligently failed to keep lighted in such manner as to prevent pedestrians from falling into said open and unguarded man-hole or water meter hole.

The said City of Asheville will further take notice that unless said claim is paid within the time provided for the payment of claims of this character, the undersigned will institute suit in the General County Court of Buncombe County for the recovery of the damages on account of the injuries herein described.

This the 19th day of November, 1931

his
John X Smith
mark
By:
Zeb F. Curtis
Attorney

Witness:
F. C. Martin.

Councilman, Frank Smith, Chairman of the Committee appointed to consider the proposal of allowing those who owe assessments to pay them with city bonds reported:

The Committee on acceptance of bonds for special assessments approved the proposal in general and recommends that the matter be submitted to the Corporation Counsel for his opinion as to the legality of the proceeding and that a resolution be drafted in accordance with that opinion.

Moved by Mr. Woodcock, seconded by Mr. Britt that the recommendation of the committee be accepted.

A communication from DeVere C. Lentz, Assistant Corporation Counsel in regard to the claim of Lula Ward for damages on account of injuries sustained by reason of falling into a meter box on Harrison Street, recommending this claim be settled for $15 was presented by Mr. Rigsby and on motion of Mr. Britt, seconded by Mr. Wambolt, it was moved that the settlement be made as recommended.

Mr. Rigsby in reporting upon the claim of G. W. Burnett filed by R. Logan Hollowell and S. J. Pegram, Attorneys, for injuries sustained by G. W. Burnett when he fell into a coal shute in front of the Jackson Building, read a letter from DeVere C. Lentz, Assistant Corporation Counsel, and recommended this claim be rejected.

On motion of Mr. Smith, seconded by Mr. Britt, the report of the City Manager and his recommendation was adopted by the Council.



December 19, 1931

Mr. Rigsby in reporting upon his investigation of the request for free water for the Mountain Orphanage stated that while the Orphanage is doing very creditable work, and deserves all the support that can be given to it, he could find no way in which the City can use State money, water, which is the same as money, to that institution without laying itself open to criticism on the part of other institutions doing some public service in this community, therefore, he recommended that this request be refused.

Mr. Boyd moved, seconded by Mr. Smith that the report of the City Manager be accepted.

Mr. Rigsby read a communication from D. C. Lentz, Assistant Corporation Counsel, in regard to delinquent taxes of Estella Mumaw and recommended that the Council authorize the Director of Finance to advertise and sell back to Mr. Mumaw the property for which he now holds the deed and that the Council also recommend that Mr. Mumaw be charged only interest as provided for in Chapter 204 Public Laws of 1929.

Mr. Wamboldt moved, seconded by Mr. Smith that the recommendation of Mr. Lentz be adopted.

Judge Thomas L. Johnson, representing Geo. C. Scott & Company, appeared before the Council and read portions of a letter addressed to the City Council setting forth that the report of Mr. H. C. Birmingham contained slanderous and damaging statements that affect the reputation of Geo. C. Scott & Company and requested that the Council pass suitable resolution rejecting the reports filed and call them in and direct that Mr. Birmingham revise the report eliminating all slanderous statements.

Mayor Green advised Judge Johnson that the report was presented the Members of the Council, but that no official action had been taken and he did not think the Council had any responsibility in the matter.

There being no further business, the meeting, on motion, adjourned.

Mayor _____ City Clerk.

Thursday, October 1st, 1931 - 4: P. M.

The City Council met in regular session; Mayor Green presiding. Present: Councilmen, Wickes Wambolt, Julian A. Woodcock, Frank S. Smith, Louis Bipkey, T. . Britt, Plott Boyd, H. G. Brookshire, Wilbur Devendorf, and Curtis Green, City Manager, . W. Rigsby and Assistant Corporation Counsel, DeVere C. Lentz. The minutes of the previous meeting were read and approved.

The report of special committee to consider the proposal of the Patton-Wall Investments, relative to setback of property on Patton Avenue was read.

This communication in lumed the proposal to setback [illegible] on Patton Avenue on either side of the Public Service Building belonging to, [illegible] the control of the Patton-Wall Investments, to a line one foot more to the [illegible] line of the Public Service Building; this left one building belonging to Kingsland Van Winkle, et al, with a frontage of 25 ft. that was not to be included in this setback. The [illegible] further stated that work and responsibility of this setback [illegible] owners, provided the City would take care of the cost of all [illegible] improvement work, and that signs would be erected upon the building [illegible] back.

This committee, in consideration of the facts, feel that the building belonging to Kingsland Van Winkle, et al, should also be moved back in order that the traveling public might get the benefit of a widened street; therefore, we are making this counter proposal, agreeing with Mr. Tom H. C. Coxe, Jr., representing the Patton-Wall Investments, to take care of street improvements immediately in front of his property without any cost to the Company; and offer $100.00 to Kingsland Van Winkle, et al, for the land for street purposes, with the understanding that the building will be moved back; the City agreeing to take care of street improvements.

Wilbur Devendorf Chairman
Julian A. Woodcock
Plott Boyd.

Mr. Smith moved, seconded by Mr. Britt, that the report of the Committee be accepted.

Mr. A. P. Levine appeared before the Council requesting that the privilege license of Gregory Cleaning Company be revoked due to the fact that clothing belonging to Mr. Levine's son left for cleaning had not been returned.

Mr. Levine was advised that the Council could do nothing in the matter as it was a matter to be settled by the courts.

There being no further business, the meeting, on motion, adjourned.

Mayor

City Clerk.

Thursday, December 14, 1931- 4:30 P. M.

The City Council met in regular session; Mayor Green presiding. Present: Councilmen, Julian A. Woodfin, Miles Wamboldt, Frank S. Smith, Louis Lipinsky, Ottis L. Green, Wilson Stevenson, H. G. Brookshire, W. C. Britt and Plott Boyd. The minutes of the previous meeting were read and approved.

Trustee,

Summons and complaint of Virginia TrustCompany/vs City of Asheville for damages on account of the construction of a storm sewer on Coxe Avenue, formerly owned by Kingston, Inc. was presented by Bourne, Parker, Arledge and DuBose, Attorneys, and on motion of Mr. Lipinsky, seconded by Mr. Smith referred to the Corporation Counsel.

STATE OF NORTH CAROLINA )
COUNTY OF BUNCOMBE )

VIRGINIA TRUST COMPANY, Trustee )
VS.
CITY OF ASHEVILLE. )

IN THE GENERAL COUNTY COURT

C O M P L A I N T.

The plaintiff, complaining of the defendant, alleges and says:

-1-

That the plaintiff is a banking corporation duly created, organized and existing under and by virtue of the laws of the State of Virginia, with its principal office and place of business in Richmond, Virginia, and duly licensed to carry on business in the State of North Carolina.

-2-

That the defendant is a municipal corporation duly chartered and existing under and by virtue of the laws of the State of North Carolina.

-3-

That on December 1st, 1925, one J. GORHAM LOW and wife, FRANCES LOW, being the then owners of a certain lot of land lying and being in the City of Asheville on the west side of Coxe Avenue, and known and designated as lot No. 39 on a map of E. W. Grove Coxe Avenue property, which map or plat is registered in plat book 7, page 18, in the office of the Register of Deeds for Buncombe County, N. C., executed, acknowledged and delivered their certain deed of trust, on said date, to the VIRGINIA TRUST COMPANY, Trustee, to secure an indebtedness of $8500.00 evidenced by seventeen promissory notes in the sum of $500.00 each, executed by the said grantors, and payable to bearer, and maturing as therein indicated, which deed in trust was duly probated, and registered on January 13th, 1926, in the office of the Register of Deed for Buncombe County, N. C., in deed in trust book 420, page 240, et seq., reference to which is hereby made, and the terms of said deed in trust are asked to be taken and made a part of this paragraph as though fully set out herein and the original of which will be produced upon the trial of this cause; that said deed in trust is a first lien on the property described therein.



-4-

That the said J. GORHAM LOW and wife, FRANCES LOW, conveyed said property to J. A. WOODFIN, JR., Asheville, N. C., by deed dated the 27th day of November 27, 1931, and recorded the 30th day of November, 1931, in the office of the Register of Deeds for Buncombe County, North Carolina, in deed book 384, page 590, said conveyance being made subject to the deed of trust, the payment of which was assumed by the said grantee.

-5-

That thereafter the said J. A. WOODFIN, JR. conveyed said property to KINGSTON, INC., by deed dated October 19th, 1932, in the office of the Register of Deeds for Buncombe County, North Carolina, in deed book 412, page 198, said conveyance being made subject to the deed in trust.

-6-

That the said building constructed on said lot was damaged through salipreneach, and the building on said lot is unsafe, in that said storm sewer was so improperly and negligently constructed, that water from same, or that would have been in same, washed out the surface of said ground from under the building on said lot, and a large portion of said property, and the building on the same, on October 28th, 1932, was greatly injured and damaged thereby and thereon; that the City by the coupon contract with said building, which was damaged and twisted, and rendered said building unsafe, and has been partially ruined by the injury to said property, solely due to said defective sewer, constructed by the defendant aforesaid.

-7-

That the plaintiff's security for said indebtedness, as Trustee, as aforesaid, was greatly impaired, and partially destroyed by the said injury to said property.

-8-

That on December 15th, 1931, Kingston, Inc., duly filed a claim, which, in legal effect, is in favor of itself and the VIRGINIA TRUST COMPANY, Trustee, in the first lien deed in trust, as required by law, for proof of damages, in the sum of $8,000.00, which is set out that said KINGSTON, INC., has been damaged on account of the caving in of the property owned by the plaintiff on Lot No. 39, in ward 4, of the CITY OF ASHEVILLE, which damage was due to the construction and maintenance of the storm sewer, on said premises, by the City, and that the said City of Asheville was responsible for the damage to said use thereof, on account of which claimant demanded said sum, and that said claim was duly received and filed by the said City on December 16th, 1931, in Minute book 17, at page 171, and that plaintiff specifically made said claim its basis for action herein, and asks that this paragraph as though incorporated herein in full.

-9-

That the said City of Asheville has refused, still fails, refuses and neglects to take any action on said claim, and demands have been made upon it to do so.

-10-

That default was made in the payment of the aforesaid deed in trust, and after the advertisement under the power of sale contained therein, on January 11th, 1932, the CORPORATION for the sum of $8500.00, and said sale was confirmed by the Superior Court, and on the 11th day of November, 1931, the said Trustee, executed and delivered its trustee's deed to the purchaser, was duly probated and recorded on November 1st, 1931, in the office of Deeds for Buncombe County, North Carolina, in deed book

-11-

That at the time said sale took place there was due under the aforesaid deed in trust $8,500.00, and the amount of taxes and assessments due on said property, and for which the said Trustee was required by law, on the terms of said sale to pay, there was left the balance from said sale of $1,139.87, which was paid by the said Trustee to the remainder of the aforesaid indebtedness secured by said deed in trust, leaving a balance of $7,360.13 still unpaid.

-12-

That the plaintiff is advised, informed and believes if same properly had not been damaged as hereinbefore alleged, its fair market value at the time of said foreclosure sale, would have been more than the balance then due under said deed in trust, including taxes, interest, costs and expenses, and it would have brought a sufficient amount of said sale to pay the said indebtedness in full; that the plaintiff has, therefore, been damaged by the negligence of the defendant, in the sum of $ ,000.00.

-13-

That plaintiff is advised, informed and believes, that J. Gordon Hayman and wife, FRANCES P. LOW, and J. A. DANIEL and wife, ALICE R. DANIEL, and KINGSTON, INC., are totally insolvent and that plaintiff could not recover the balance due from either the makers of said notes or those who assumed the payment thereof.

-14-

That plaintiff is entitled to have a sufficient amount of any moneys the same which the defendant to KINGSTON, INC. on account of said damage herein sued on, applied to the payment of the debt secured by said first deed in trust to plaintiff as Trustee; that KINGSTON, INC. has failed, neglected and refused to bring action on account of said claim, and plaintiff has no means of forcing it to do so.

WHEREFORE, plaintiff prays that it have and recover of the defendant the sum of $2,000.78, and the costs of this action to be taxed by the Clerk, and for such other and further relief as to the Court may seem just and equitable.

BOURNE, PARKER, ALLEGE & DuBOSE
BY: John DuBose
ATTORNEYS FOR PLAINTIFF.

A resolution authorizing agreement between W. Bowen Henderson, Certified Public Accountant, and the City of Asheville, and agreement between W. Bowen Henderson and the City of Asheville for auditing of the books of the City of Asheville covering the fiscal year ending June 30, 1941 was presented, and on motion of Councilman Plott Boyd, seconded by Councilman E. C. Pittman adopted.

RESOLUTION

A RESOLUTION AUTHORIZING AGREEMENT BETWEEN W. BOWEN HENDERSON, CERTIFIED PUBLIC ACCOUNTANT, AND THE CITY OF ASHEVILLE

WHEREAS, it appears to the City Council of the City of Asheville that under the requirements of the Local Government Act of 1941, and the City Charter, the said City Council is authorized and required to have a quarterly audit of the accounts of the said City of Asheville made by a certified public accountant.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ASHEVILLE:

That, in accordance with the statute above mentioned, the City Council of the City of Asheville is hereby authorized and directed to execute with W. BOWEN HENDERSON, Certified Public Accountant, an agreement covering the audit for the fiscal year, and said agreement shall be placed upon the minutes of the proceedings of the City Council of the City of Asheville.

I move the adoption of the foregoing resolution.

Plott Boyd
Councilman

Seconded by: E. C. Pittman
Councilman

Approved and adopted this the 14th day of December, 1941, in open session.

Ottis Green
MAYOR

E. J. Thompson
CITY CLERK.

APPROVED AS TO FORM:
DeVere C. Lentz
ASST. CORPORATION COUNSEL.

December 14, 1941

STATE OF NORTH CAROLINA )
COUNTY OF BUNCOMBE )
CITY OF ASHEVILLE )

W. BOWEN HENDERSON, party of the first part,
CITY OF ASHEVILLE, party of the second part.

AGREEMENT, made in accordance with the provisions of Chapter 60 of the Public Laws of 1939, as amended by the Local Government Act of 1941, this the first day of December, 1941, between W. BOWEN HENDERSON, Certified Public Accountant, part of the first part, and the CITY OF ASHEVILLE, party of the second part.

(1) The party of the first part agrees to examine the books of the City of Asheville covering the fiscal year ending June 30, 1941. It is understood that the audit, the scope of which is to be determined by the party of the first part, and the examination of the books to that end, will be in accordance with recognized accounting procedures as provided by the Local Government Commission.

(2) The party of the first part agrees to complete the audit as soon as possible after the end of each quarter, September 30, 1941, December 31, 1941, March 31, 1942, and complete the work as soon as possible after the end of the fiscal year. The party of the first part further agrees that statement of the audit for each quarter, June 30, 1941, shall cover only the months for the quarter ending June 30, 1941, and shall cover only the months for the quarter ending September 30, 1941, December 31, 1941, March 31, 1942.

(3) The party of the first part, in addition to the audit as hereinabove described herein, to prepare and transmit to the party of the second part a typewritten or printed report setting forth the statements of the respective funds audited, which statement shall show the condition of the assets and liabilities of the respective funds at the dates examined, and the results of operations in connection therewith. Comments shall also be included in the said report as to the financial transactions of each fund covering the periods examined, and the report hereof shall be stated with items of estimated revenues and appropriations for the respective funds budgeted as well as with items of proposed additions for the purpose of reflecting the budget position at the dates examined. It is understood that if the budgets of the various funds are improperly set up, the party of the first part may, in his discretion, adjust the same to conform to generally accepted principles. A copy of this report shall be submitted to the Local Government Commission for its approval.

(4) The party of the second part, in consideration of the performance of the conditions and covenants by the party of the first part, hereby agrees to pay the said party of the first part the sum of two thousand ($2,000.00) dollars for all audits as follows:

Six hundred and sixty-six dollars and sixty-six cents ($666.66) to be paid within ten days after the report of the audit for the quarter ending June 30, 1941, is filed with the City of Asheville;

Six hundred and sixty-six dollars and sixty-six cents ($666.66) to be paid within ten days after the report of the audit for the quarter ending September 30, 1941, is filed with the City of Asheville; and

Six hundred and sixty-six dollars and sixty-six cents ($666.66) to be paid within ten days after the report of the audit for the quarter ending December 31, 1941, is filed covering the quarterly audit and annual audit, if filed.

(5) This agreement, in its entirety, has been entered upon the minutes of the proceedings of the City Council of the City of Asheville.

W. Bowen Henderson
Party of the First Part.

CITY OF ASHEVILLE,
By: [illegible]
Mayor.

By: [illegible]
City Clerk.

ATTEST: E. C. Thompson
CITY CLERK
(CITY SEAL)

APPROVED BY:

CHAS. M. JOHNSON, Director
of Local Government Commission.

I hereby certify that [illegible] to the payment of moneys which will be due under the [illegible] of December, 1941.

[illegible]

APPROVED:
CHAS. M. JOHNSON, Director of
Local Government Commission,
December ____, 1941.

APPROVED AS TO FORM:
DeVere C. Lentz
ASST. CORPORATION COUNSEL.

Summons and Complaint of G. W. Burnett vs. City of Asheville and The Consolidated Realty Company for damages for personal injuries on account of falling into coal chute in sidewalk adjoining the Jackson Building was presented and on motion of Councilman [illegible], seconded by Councilman Plott Boyd referred to the Corporation Counsel.

STATE OF NORTH CAROLINA )
: IN THE GENERAL COUNTY COURT
COUNTY OF BUNCOMBE )

J. [illegible] BURNETT, Plaintiff
-vs-
The CITY OF ASHEVILLE, a municipal Corporation, and THE CONSOLIDATED REALTY CO., a corporation, Defendants.

COMPLAINT

The plaintiff, complaining of the defendant, alleges:

1.

That the plaintiff, G. W. Burnett is a citizen of the City of Asheville, County of Buncombe and State of North Carolina.

2.

That the City of Asheville, defendant, is a municipal corporation existing under and by virtue of the laws of the State of North Carolina.

3.

That the Consolidated Realty Company, defendant, is a Corporation organized and existing under and by virtue of the laws of a State unknown to this plaintiff, with it's principal office and place of business in the City of Asheville.

4.

That the City of Asheville, defendant, in the exercise of it's corporate function maintained on the various streets and sidewalks of said City certain permanent openings such as water-meters, sewer openings and coal holes for for it's own convenience and pecuniary advantage, and also for the convenience and advantage of certain abutting property owners to-wit: two coal holes on the west side of South Market Street for the convenience, advantage and use of the said Consolidated Realty Company, and it was the duty of said defendant, The City of Asheville, at all times to keep said openings and coal holes properly covered for the protection of persons using said streets and sidewalks.

5.

That the street known as South Market Street in said City, was at the times hereinafter mentioned and for a long time prior thereto had been a public street and highway, that it was graded and paved, and that the sidewalk thereon was used by travelers by the public on foot at all hours of the day and night.

6.

That on or about the 17th day of October, 1941, there was, and for many years prior thereto there had been, an opening in the sidewalk adjoining the East side of the Jackson Building, said sidewalk being located on the Western side of South Market Street; that there are two openings on or about the center of said sidewalk adjoining the Eastern side of the Jackson Building and that the one in question is the lower hole, or the one on the South; that said opening is a circular opening or hole some twenty inches or more in diameter into the top of which a removable circular flat iron covering or lid was adjusted, resting on a bevelled shoulder or very narrow flange made for the purpose, and that the top of said lid or cover was level with the surface of the sidewalk and was a part of said sidewalk; that at said time the said sidewalk was then and there negligently maintained by the City of Asheville, defendant, in an unsafe and dangerous condition in that the lid or cover of the coal hole aforesaid was improperly, unskillfully and negligently constructed and maintained, and suffered and permitted to remain in said sidewalk in a loose and unsafe condition; that the cover or lid of said coal hole was too small and also too light for the purpose for which it was used; that the said opening was too large in diameter, thus causing the said cover to be in a loose condition when put in it's place, and that same did not fit closely or snugly into said opening and was loose when in place; that the flange on which the lid or cover rested was not of sufficient width to keep said lid or cover from tilting or becoming displaced; that said flange, bevelled shoulder and retaining support were constructed in such a manner that when a pedestrian stepped onto the cover or lid of said coal hole it was liable to tilt and become displaced; that by reason of the premises said coal hole opening and the lid or cover thereof created and constituted a condition of insecurity and peril to pedestrians lawfully using said sidewalk; that said unsafe and perilous condition was known to the defendant, City of Asheville, or by the exercise of reasonable care said defendant should have known of the unsafe and perilous condition a sufficient length of time prior to October 17th, 1941, for said defendant to have repaired and otherwise put said opening in a safe condition; that said unsafe and perilous condition had existed to the knowledge of the defendant, The City of Asheville, for a long period of time, to-wit, a year or more, prior to the injury of the plaintiff hereinafter alleged.



7.

That the aforesaid coal hole opening [illegible] owners of the Jackson Building for the convenience, [illegible] building; that said coal hole was used for the [illegible] coal pit of the Jackson Building; that the Jackson Building [illegible] herein mentioned, and is owned and [illegible] Inc. for its pecuniary benefit.

8.

That the Consolidated Realty Company, [illegible] perilous and unsafe condition of the aforesaid coal hole [illegible] months prior to October 17, 1941, the date of the [illegible] and injury of the plaintiff, or by the exercise of ordinary [illegible] they should have known of said unsafe and perilous condition [illegible] of time to have remedied and repaired same so that [illegible] pedestrians to walk over same; that the said Consolidated [illegible] defendant, was negligent in that it constructed and maintained [illegible] their private benefit, on a public and much traveled [illegible] Asheville, in an unskillful, improper and negligent manner; that [illegible] Realty Company Inc., defendant, was negligent [illegible] coal hole to remain in the aforesaid sidewalk in [illegible] the cover or lid of said coal hole was too small [illegible] for which it was used; that the said opening [illegible] the said cover to be in a loose condition when [illegible] not fit closely or snugly into said opening and [illegible] flange on which the said cover rested was not of sufficient [illegible] or cover from tilting or becoming displaced; that [illegible] bevelled shoulder and retaining support were [illegible] a pedestrian stepped onto the cover or lid of [illegible] and become displaced; that by reason of the [illegible] lid or cover thereof created and constituted [illegible] pedestrians lawfully using said sidewalk.

9.

That [illegible] about the 17th day of October, [illegible] plaintiff herein was lawfully walking [illegible] doing, and while in the exercise of [illegible] plaintiff stepped on the said cover or lid, [illegible] slipped out of place, by reason whereof plaintiff [illegible] with great force and violence was caused to fall into said opening, striking [illegible] sharp edges thereof and his whole body was twisted and [illegible] slanting interior of said hole or opening; that as a result [illegible] of said fall into said opening plaintiff's [illegible] sprained and bruised and the muscles, ligaments and [illegible] torn and injured; that the plaintiff's [illegible] sprained, and the muscles, ligaments and [illegible] jured; that the plaintiff's left shoulder [illegible] muscles, ligaments and nerves thereof were [illegible] suffered a sprained thumb, bruises, contusions and [illegible] that his twelfth right rib was broken and also [illegible] broken.

10.

That as a direct and proximate result of the negligence [illegible] as hereinbefore set forth and the injuries sustained [illegible] thereof, plaintiff was caused to suffer and [illegible] both in mind and body; that he was made sick, [illegible] incapacitated and was confined to his home for a long [illegible] at all times since said injuries and as a result thereof, [illegible] continually and still does suffer both in mind and body; that the injuries so sustained by the plaintiff [illegible] that his whole nervous system and powers of [illegible] perform the ordinary duties of his home and [illegible] impaired; that as a result of said injuries [illegible] heavy expenses in X-ray bills, Doctor and medicine bills [illegible] expenses and physical condition has been [illegible] despair;

11.

That the negligence of the defendants, [illegible] cooperating together, [illegible] set out, and that by reason of the matters and things [illegible] larly by the reason of the negligent acts of [illegible] hereinbefore alleged, plaintiff has been [illegible] ($50,000.00) Dollars.

12.

That on or about the 23rd day of [illegible], 1941, and within [illegible] following the injuries sustained by the plaintiff, as hereinbefore [illegible], plaintiff, in writing, gave due notice to the defendant of his [illegible] accordance with law in such cases provided; that a copy of said [illegible] made to defendant, City of Asheville, is [illegible] made a part of this complaint.

WHEREFORE, plaintiff prays judgment of the defendants:

1. For the sum of Fifty Thousand ($50,000.00) Dollars.
2. For the costs of this action to be taxed by the Clerk.
3. For such other and further relief as to this Court seems just and proper.

A letter from The Asheville Citizen and The Asheville Times thanking the Council for the use of the Post Office site for Santa Claus Igloo was read.

J. J. Styles, attorney for Mrs. R. B. Roberts, filed notice of his appearance on account of Mrs. Roberts stepping in a hole which was on motion of Councilman Rankin, seconded by Councilman J. A. Woodfork, ordered referred to the Corporation Counsel.

December 14, 1931.

City of Asheville,
City Hall,
Asheville, N. C.

Gentlemen:

On November 12th, about 8:30 P. M., Mrs. R. B. Roberts of 41 Florida Ave., West Asheville, was on her way to the Post Office. As she was passing Craven's drug store at the end of the street car line, she stepped in a hole which was left open by you, and greatly injured her left ankle. She is advised by Dr. Hensley that it was broken. She is still unable to get about with any degree of comfort.

I am herewith making formal demand upon you, as provided by statute, for the sum of Two Thousand Dollars ($2,000.00) damages to Mrs. Roberts. Please refer this to your Legal Department for consideration.

Very respectfully,
J. Seroop Styles.

J.S:V

A petition signed by seventy citizens of the City of Asheville recommending that the City of Asheville make provision to grant Capt. H. L. Fitzpatrick a pension for services rendered the City of Asheville or to provide him with employment was presented to the Council, which was ordered filed as there are no funds available at the present for pensions.

STATE OF NORTH CAROLINA
COUNTY OF BUNCOMBE
CITY OF ASHEVILLE.

We, the undersigned citizens of the City of Asheville, do hereby respectfully recommend to your Honorable Board of Counselmen of the City of Asheville, that a pension commendurate with the City's present financial status be awarded to Captain H. L. Fitzpatrick, who is now Commander of the Zeb Vance Post of the United Confederate Veterans, for the reasons hereinafter set forth.

Captain Fitzpatrick was for some eight years a volunteer fireman, two years a police captain of the police, sixteen years an alderman, and for years a commissioner of the City of Asheville. In other words he has given virtually all of his life to serving our municipality, and has watched it grow from a small mountain village to a metropolis of Western North Carolina.

He is now over eighty-four years of age, and is at present without funds with which to provide for himself a living, and he has no living relatives in this section of North Carolina with whom he can make his home.

In view of the splendid services which he rendered to the South as a soldier of the Confederacy, and in further view of the invaluable services which he has rendered our City, we trust and urge that Your Honorable Board will make provision for providing him with a pension in an amount sufficient to provide him with maintenance and support, or to provide him with such employment as he would be able to carry out, and in compensation of which he would receive funds sufficient to provide him with the necessities of life.

Respectfully submitted by:

| | | |
|---|---|---|
| Robert R. Reynolds | Attorney | Strand Bldg |
| McKee Cooper | | P. O. Box 76 |
| Martin H. West | Salesman | 157 Patton Ave. |
| E. M. Frock | | 7 Patton Ave |
| Burgin Pennell | Atty. | 400 Legal Bldg |
| George Pennell | " | " " " |
| F. J. Austin | | West Asheville |
| T. E. Davis | Architect | |
| Geo. A. Digges Jr | Reg. of Deeds | |
| J. C. Garrison | | Court House |
| M. L. Reed | Deputy Com. of Revenues of N. C. | |
| L. D. Maney | | W. Asheville |
| M. L. Maney | | W. Asheville |
| L. Sumner | | Asheville |
| H. Grady Reagan | | |
| J. B. Cain | | |
| H. S. Hyder | Com. of Buncombe Co. | |
| Worth McKinney | Board of Education | |



| | |
|---|---|
| Claude L. Love | Manager Commodore Office. |
| Fred L. Sale | |
| Eugene Taylor | |
| Fred A. Hull | Salesman |
| Jno L. Carroll | |
| Zeb V. Nettles | |
| J. A. Goode | |
| A. M. Wells | |
| M. Buckner | |
| Claude L. Ferguson | Justice of the Peace |
| Alex A. Digges | " " " |
| E. E. Mitchell | " " " |
| T. F. Hunter | |
| J. A. Mason | Collector |
| J. M. Morris | " |
| J. G. Stikeleather | " |
| R. J. Sherrill | " |
| F. O. Miller | |
| Chas. F. Crow | |
| W. C. Tench | |
| C. D. Folsom | |
| H. A. Smith | Manager |
| S. J. Newton | " |
| C. W. Aiken | |
| Fred Hester | |
| C. K. Bradley | " |
| J. L. Lingerfelt | |
| John T. Neely | " |
| J. W. Neely | " |
| John D. Parker | |
| J. N. Garren | |
| B. H. Cosby | Jeweler |
| T. G. Baird | Merchant |
| J. B. Dalton | " |
| Morris Meyers | " |
| H. L. Mull | " |
| J. G. Kincaid | Furniture |
| W. A. Swain | " |
| J. C. Cauble | Plumbing |
| James S. Howell | Attorney |
| B. H. Roth | Physician |
| A. M. Pingle | City Map. |
| W. W. Barnard | |
| Reuben F. Lee | Chief D. C. |
| R. H. Luther | |
| John H. Bramlett | |
| Oscar White | |
| W. T. Snyder | |
| F. P. Howell | |
| C. C. Waddell Jr | |
| L. R. Lipe | |
| J. M. Westall | Paint-City Paint |

(who strongly advocated that each city [illegible] which he can perform individually be [illegible]).

Councilman Louis Lipinsky moved, seconded by Councilman [illegible], that a committee be appointed to study the question of pensions. Mayor Edwin [illegible] appointed as committee, Councilmen Lipinsky, Reynolds and Smith.

There being no further business, the meeting, on motion, [illegible].

Mayor [signature]

City Clerk. [signature]

Thursday, December 31, 1931- 4:30 P. M.

The City Council met in regular session, Mayor Green presiding. Present: Councilmen, L. D. Brookshire, Wilbur Devendorf, W. E. Britt, Plott Boyd, Julian A. Brookshire, Ottis G. Green, Louis Lipinsky, Frank E. Smith and Wickes Rumbolat. Also City Manager A. J. Rigsby. The minutes of the previous meeting were read and approved.

A report on the complaint of W. E. Broome of paving assessments on Waynesville Avenue, was read by City Manager Rigsby from the City Engineer in which he reports that the property does not abut on Waynesville Avenue that the assessment is in error and recommends that assessment of $28.60 and interest be cancelled.

On motion of Councilman Plott Boyd, seconded by Councilman W. E. Britt the following resolution cancelling assessments on Lot 117-B, Sheet C, Ward 6, Waynesville Avenue, W. E. Broome, was unanimously adopted.

RESOLUTION CANCELLING ASSESSMENTS ON LOT 117-B,
SHEET C, WARD 6, WAYNESVILLE AVE., W. E. BROOME.

WHEREAS, W. E. Broome has petitioned the City Council of the City of Asheville for the cancellation of paving assessments of July 12, 1926, on lot 117-B, sheet C, ward 6, in the amount of two hundred and twenty-eight dollars and sixty cents ($228.60), and

WHEREAS, R. E. Maynard, City Engineer, reports that this assessment is in error and that lot 117-B, above referred to, does not abut on Waynesville Avenue and that the assessment should be canceled.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ASHEVILLE:

1. That the assessment for paving on Waynesville Avenue, in the amount of two hundred and twenty-eight dollars and sixty cents ($228.60), against lot 117-B, Sheet C, Ward 6, property of W. E. Broome, as shown by the same is hereby cancelled of record.

2. That the Collector of Assessments be and he is hereby instructed and authorized to post this records in accordance herewith.

I move the adoption of the foregoing resolution.

Plott Boyd
Councilman

Seconded by: W. E. Britt
Councilman

APPROVED AS TO FORM:
J. G. Merrimon
CORPORATION COUNSEL.

Read, approved, and adopted, this the 31st day of December, 1931.

Ottis Green
MAYOR
E. G. Thompson
CLERK.

Mr. Rigsby read a letter from Attorney Kingsland Van Winkle, Guardian for minor heirs owning 8 feet frontage on Patton Avenue, offering to accept $400.00 for the land for street purposes and agreeing to set back the building 10 feet.

Councilman Boyd moved, seconded by Councilman Devendorf that the City Manager be authorized to accept the proposal of $400.00 in cash contingent upon the carrying out the various matters by both parties as set out in resolution previously submitted.

A petition signed by citizens of Buncombe County, Hazel Township and Johnson School District, requesting that the high embankment at the Southern Railway crossing on Johnson Boulevard which obstructs the view of the tracts be eliminated, was presented, and on motion of Councilman Smith, seconded by Councilman Brookshire referred to the City Manager.

There being no further business, the meeting, on motion, adjourned.

Mayor Ottis Green

City Clerk. E. G. Thompson



Thursday, January 7, 1932

The City Council met in regular session: Mayor Green presiding. Councilmen Wilbur Devendorf, Julian A. Brookshire, L. D. Brookshire, Louis Lipinsky, Frank E. Smith, W. E. Britt, Plott Boyd, and Wickes Rumbolat. Also present: City Manager A. J. Rigsby and Corporation Counsel J. G. Merrimon. The minutes of the previous meeting were read and approved.

Mr. A. S. Barnard, attorney representing Mr. B. [illegible], appeared before Council and requested that the City take over the water lines [illegible] that there were sufficient signers to petition for six inch lines [illegible].

It was moved by Councilman Rumbolat, seconded by Councilman Green that the petition be referred to the Corporation Counsel and the City Manager to investigate.

On motion of Councilman Frank E. Smith, seconded by Councilman [illegible], resolution authorizing the execution of contract for the removal of the old post office building was unanimously adopted.

RESOLUTION AUTHORIZING THE EXECUTION OF CONTRACT FOR THE REMOVAL OF THE OLD POST OFFICE BUILDING.

WHEREAS, in accordance with Chapter [illegible], sub-section D, of the Acts of 1931, City Charter, being "An Act to Revise the Charter of the City of Asheville, to Define Its Corporate Limits, to Provide for the Government and For Other Purposes", the City Council of the City of Asheville is empowered to enter into contracts for the removal of the old post office building.

THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ASHEVILLE:

1. That the Director of Finance of the City of Asheville be and he is hereby directed to execute contract with Charles S. Anderson, Chairman Building Committee, Columbia Bible College, and any and all instruments necessary in connection therewith for the removal of the old post office building, to be approved by City Attorney.

2. That the Director of Finance of the City of Asheville be and he is hereby directed to secure from Columbia Bible College a surety bond guaranteeing the performance of the contract; also a liability bond that the contractor shall be required to have before engaging in the work in North Carolina.

3. That the contractor shall be required to execute a surety bond with a standard guaranty company, said bond to be in the penalty of twenty thousand ($20,000.00) dollars for the faithful performance of the contract, and ten thousand dollars for one accident. He shall also be required to carry public liability insurance in the amount of ten thousand ($10,000.00) dollars, and shall be required to carry Workmen's Compensation Insurance for the protection of employees.

I move the adoption of the foregoing resolution.

Frank E. Smith
Councilman

Seconded by: W. E. Britt
Councilman

Motion, carried and resolution adopted, this the 7th day of January, 1932, to take effect according to statute.

Ottis Green
Mayor

E. G. Thompson
City Clerk.

APPROVED AS TO FORM:
J. G. Merrimon
CORPORATION COUNSEL.

Mr. Rigsby read a letter from J. G. Merrimon, Corporation Counsel, in regard to the legality of accepting bonds of the City in payment of assessments against property.

January 7, 1932.

TO THE CITY COUNCIL:

Replying to your request regarding the legality of accepting Bonds of the City in payment of assessments on property for paving improvements, I am of the opinion that it would be legal for you to accept Bonds in payment of such assessments and [illegible] the same.

It seems to me that this is a wise course to the City to [illegible], for several reasons:

(1) in many cases, the property is not worth, in the present depression, what the assessment, and the owners would not be willing to pay the assessment. There is no personal liability on these assessments, the property alone standing for them, and the result would be that the City would acquire an enormouse amount of property, and take it from the field of taxation.

(2) If these assessments are paid by Bond, the property of course will remain subject to taxation, and the City will get additional revenue therefrom.

(3) It would enable to City to cancel a lot of its obligations, without any loss to it whatsoever.

Yours very truly

J. G. Merrimon
Corporation Counsel

JGM:T

On motion of Councilman Wilbur Devendorf, seconded by Councilman H. G. Brookshire, resolution authorizing the City Treasurer to accept bonds of the City in payment of assessments on property was unanimously adopted.

WHEREAS, there are now outstanding and uncollected special assessments due the City of Asheville, on property situate within the corporate limits of said city, aggregating approximately one million seven hundred and fourteen thousand six hundred and seventy-four and eighty-one cents ($1,714,674.81), and

WHEREAS, the City Council of the City of Asheville is of the opinion that a large amount of said special assessments can be collected and paid by the adoption of theplan hereinafter set forth, and

WHEREAS, the City Council of the City of Asheville is also of the opinion that the adoption of this resolution is for the best interest of the City of Asheville as it will enable the City to collect special assessments which it would be difficult, if not impossible, to collect, and thereby obviate the necessity of foreclosures and the possible loss of taxable property to the City.

THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ASHEVILLE:

That payment of said special assessments may be made in the way and manner hereinafter set forth, to-wit:

1. That the said City of Asheville will accept at par, interest not to be calculated, outstanding bonds of the said City in paymnnt of special assessments, and make and execute to the property owners full acquittances and receipts for such payment.

2. That the City Treasurer of the City of Asheville be and he is hereby authorized to accept and receive from parties who desire to deposit with the City Treasurer, bonds covered by this resolution and/or cash to be held to the credit of or order of the depositor, so long as the depositor has sufficient bonds and/or cash, as deposited with the City Treasurer, to honor such order as may be given by the depositor and presented to and filed with the City Treasurer, by crediting such amount of such deposit on such assessment or assessments designated by the depositor in such order, or upon order of the depositor presented to and filed with the City Treasurer, to return such bonds and/or cash as have by the depositor been deposited, less so much and such parts thereof as have been previously covered by the orders of such depositor so presented to and filed with the City Treasurer.

I move the adoption of the foregoing resolution.

Wilbur Devendorf
Councilman

Seconded by: H. G. Brookshire
Councilman

Read, approved and adopted, this the 7th day of January, A. D. 1933, to take effect according to statute, Jan. 23, 1933.

Ottis Green
MAYOR

L. G. Thompson
CITY CLERK

APPROVED AS TO FORM:
J. G. Merrimon
CORPORATION COUNSEL



On motion of Councilman Julian A. Woodcock, seconded by Councilman [illegible], resolution authorizing the Director of Finance of the City of Asheville to lease McCormick Field for a period of five years was unanimously adopted.

RESOLUTION AUTHORIZING THE DIRECTOR OF FINANCE OF THE CITY OF ASHEVILLE TO LEASE MCCORMICK FIELD.

WHEREAS, it appears from the records of the City of Asheville that McCormick Field has cost the City an amount of [illegible] dollars a year, and that the City of Asheville has [illegible] annual rent of one thousand ($1,000.00) dollars per [illegible], and

WHEREAS, the City Council of the City of Asheville is of the opinion that the cost of leasing McCormick Field to some responsible party [illegible] great expense to the City for the maintenance of [illegible] Field.

THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ASHEVILLE:

That the Director of Finance of the City of Asheville be and he is hereby directed to lease said McCormick Field to some responsible party for a term not exceeding five years, for the maintenance and operation of [illegible] provided a better rental cannot be secured, the said lease to contain provisions securing full compliance with its provisions to be approved by the City Attorney Counsel of the City of Asheville.

I move the adoption of the foregoing resolution.

Julian A. Woodcock

Seconded by: Louis Lipinsky
[illegible]

Read, approved and adopted, this the [illegible] day of January, A. D., 1933, to take effect according to statute.

Ottis Green
MAYOR

L. G. Thompson
CITY CLERK

APPROVED AS TO FORM:
J. G. Merrimon
CORPORATION COUNSEL.

A petition from the owners of the Haywood Building [illegible] pass an ordinance regulating parking in the alley in the rear of [illegible] and the Haywood Building was on motion of Councilman [illegible] Julian A. Woodcock, referred to the City Manager for [illegible] information.

Mr. Rigsby reported that as a result of his [illegible] of the petition questing the removal of the high embankment at the [illegible] the Southern Railroad Company had been asked to [illegible] crossing.

There being no further business, the meeting, on motion, adjourned.

Mayor Ottis Green

City Clerk.

January 14, 1932

Thursday, January 14, 1932- 4:30 P. M.

The City Council met in regular session; Mayor Green presiding. Present: Councilmen, Platt Boyd, R. C. Pritt, H. G. Brookshire, Wilbur De Vendorf, Ottis Green, Louis Lipinsky, Frank S. Smith, Wickes Wamboldt and Julian A. Woodcock, and Corporation Counsel, J. C. Merrimon. The minutes of the previous meeting were read and approved.

Notice of Claim, Mrs. Elizabeth Davis vs. City of Asheville for alleged damages on account of surface water diverted on her property on Fenner Avenue was presented on motion of Mr. Woodcock, seconded by Mr. Boyd ordered referred to the City Manager.

North Carolina,
Buncombe County,

Mrs. Elizabeth Davis, Claimant, )
vs. Notice of Claim
City of Asheville, N. C. )

To the Mayor, City Manager and Members of City Council of the City of Asheville, N. C.

The plaintiff, claimant, herewith presents to the City of Asheville, N. C. her claims against said City for adjustment and settlement:

1.

For the proper installation of an underground storm sewer and earthen pipe from the south side of Fenner Avenue through and under the lands of plaintiff, of sufficient capacity to take care of the surface water which the City is allowing, permitting and causing to be cast in large volume upon the lands and premises of plaintiff from the present installed pipe, the open end of which empties said surface waters beside plaintiff's residence which water is from thence turned onto plaintiff's lot and damaging corn lot and residence.

2.

For the payment to plaintiff of all such damages as have been done to her premises on account of said surface water which has been diverted from its proper course of territory lying above plaintiff's property through which territory the City of Asheville is maintaining public streets and alleys, paved and unpaved, and over and along which large quantities of surface waters have been gathered and concentrated and turned loose upon the plaintiff's premises close by the side of her residence.

3.

That said damages amount to at lease $1000.00, and have been originally inflicted and brought about within the last ninety days immediately preceding the filing of this claim, although some damages have, at intermittent and irregular periods for some months prior to said 90 days period, been occurring to plaintiffs property, and plaintiff has from time to time had the assurance from various City officials that the existing conditions would be remedied, but such has not been done.

This jan. 9th, 1932

Mrs. Elizabeth Davis.

The above notice and claim for damages was filed in the office of City Manager for the City of Asheville, N. C. and a copy of same for both City Manager and the Mayor and City Council delivered by counsel for said claimant on this date.
Jan. 9, 1932.

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A letter from the Corporation Counsel in regard to claims filed by R. C. Young and Mrs. Young on account of alleged injuries sustained in Recreation Park by a large Eskimo dog jumping against Mrs. Young, in which he stated the maintenance of the zoo is a governmental function, that the City assumes no liability, was read and on motion of Mr. Smith, seconded by Mr. Woodcock, the report of the Corporation Counsel was accepted.



January 9, 1932

R. W. Rigsby, Esq.,
City Manager
ASHEVILLE, N. C.

Dear Sir:

The [illegible] R. C. Young and [illegible], which they say [illegible] jumping against [illegible] respectively. [illegible] injuries other [illegible].

Originally, [illegible] I don't understand [illegible] park and I am inf[illegible] The City has no [illegible]

I [illegible] furnished [illegible]

Very [illegible],

J. C. [illegible]

JCM:LC

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A letter from Reynolds & Galloway, attorneys, [illegible] privilege license tax for [illegible] business without securing any additional [illegible] seconded by Dr. Brookshire that the matter be [illegible]

The motion was withdrawn and a substitute [illegible] Woodcock, that the matter [illegible]

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It was upon [illegible] as a fire and then sent into [illegible]

This matter was referred to the Co[illegible] Mr. Lipinsky, seconded by Mr. [illegible]

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Mr. Wamboldt [illegible] law for Ramson deposit in the [illegible] Mr. Devereux that the Mayor [illegible] City's deposits. This motion [illegible]

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A letter from Mr. [illegible] Patton Avenue from Government [illegible] extend to Clingman Avenue [illegible] the street.

On motion of Mr. Smith, seconded by Mr. [illegible] the City Manager to make an investigation [illegible]

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On motion of Mr. Smith, seconded by Mr. [illegible] Commissioner, the City Manager [illegible] Corporation Counsel [illegible] lease of Woodfin Field for [illegible] to the Ball Club [illegible]

---

Mr. Wamboldt [illegible] an invitation [illegible] their wives to the initial performance of the Public [illegible] Auditorium next Monday night.

The Clerk was instructed to thank Mr. [illegible] any of the Council as can will be present [illegible]

There being no further business, the meeting, on motion, was adjourned.

Ottis Green
Mayor.

[illegible]
City Clerk.

Thursday, January 11, 19[illegible] 8:00 P. M.

[illegible] in regular session; Mayor Green presiding. Present: [illegible], Councilmen Julian A. Woodcock, [illegible] Wambolt, Frank E. Smith, Louis Lipinsky, Dr. H. G. Brookshire, [illegible] Bevendorf, L. D. Brookshire, W. C. Britt and Plott Boyd, City Manager R. F. Rigsby and Acting Corporation Counsel J. G. Merrimon.

The minutes of the previous meeting were read and approved with the following [illegible] Mr. [illegible] Kress Company license tax was referred to the Tax Committee for investigation.

Mr. Britt, chairman of the Tax Committee, reporting upon the letter from Reynolds & Galloway, attorneys, in regard to a client who had paid a license tax for Fortune Telling being allowed to operate more than one place of business without securing an additional license stated the Committee recommended that an additional license tax be paid.

Moved by L. Boyd, seconded by E. Wambolt, that the recommendation of the Tax Committee be accepted.

The Tax Committee reporting on the privilege license tax to be paid by J. J. Kress Company recommended that the tax of $250.00 on five and ten cent stores stand.

Moved by Mr. Bevendorf, seconded by Dr. Brookshire, that the recommendition of the committee be accepted. The motion was withdrawn until Mr. Merrimon makes his report.

The report of the Park Committee that the lease for McCormick Field to a ball [illegible] for five years had been revised was submitted.

Mr. Merrimon recommended that the claim of Mrs. Roberts be turned over to the City Manager and the Corporation Counsel for investigation and settlement if necessary. Mr. Merrimon also reported that the claim of John Smith has been investigated and that request has been made that some action be taken by the City Manager and report on Smith's condition.

On motion of Mr. Lipinsky, seconded by Mr. Smith this matter was referred to the City Manager.

Mr. Merrimon stated he had received complaints of the dangerous practice of children playing and skating on the streets. No action taken.

Mr. Merrimon reported he had also received complaints of the parking on Battery Park Hill and on the City Hall-Court House Plaza. Mr. Rigsby explained that the parking problem was now being studied and he hoped to have a report in the near future.

Complaints of gambling by High School students in pool rooms in the vicinity of the High School was reported by Mr. Wambolt. After some discussion and suggestions, Mr. Wambolt moved, seconded by Mr. Smith that the matter of children gambling be referred to the City Manager for investigation and a report of his recommendations.

There being no further business, the meeting, on motion, adjourned.

Mayor [signature]

City Clerk [signature]



Thursday, January [illegible], 19[illegible] 8:00 P. M.

The City Council met in regular session; Mayor Green presiding. Present: Councilmen; Julian A. Woodcock, [illegible] Smith, [illegible], Wilbur Bevendorf, H. G. Brookshire, W. C. Britt and Plott Boyd, City Attorney J. G. Merrimon and City Manager R. F. Rigsby. The minutes of the previous meeting were read and approved.

On motion of Mr. Julian Woodcock, seconded by Mr. [illegible], a resolution regarding medical treatment for city employees [illegible] Workmen's Compensation Act was unanimously adopted.

A Resolution covering Medical Treatment for the City Employees under Provisions of the Workmen's Compensation Act.

WHEREAS, under the Workmen's Compensation [illegible] North Carolina, the employer has the responsibility [illegible] doctor for any injured employee, and

WHEREAS, there have been [illegible] of Asheville only six (6) or eight (8) physicians [illegible] practising medicine in Asheville, and

WHEREAS, the City Council wishes to maintain [illegible] to both physicians and employees of the City of Asheville,

WHEREAS, the Council believes [illegible] family should decide the doctor [illegible] is a reputable physician in good standing in the profession of the city of Asheville.

Therefore, be it resolved, by the City Council [illegible] any employee of the City of Asheville [illegible] responsible, [illegible] selected is a reputable physician in good standing in the profession of the city of Asheville, N.C.

Be it resolved, further, [illegible] hospitals in the city of Asheville [illegible].

I move the adoption [illegible].

[illegible]

seconded by [illegible]

Dated
January 18th, 19[illegible].

Mr. Kingsland Van Winkle, Attorney, in behalf [illegible] and Hatteras Street appeared before the Council in protest [illegible] trees on Montford Avenue by the Carolina Power & Light Company, [illegible] trees on other streets be maintained at the present time.

Mayor Green stated [illegible] Work was being done [illegible] Besides, and explained that [illegible] coming in contact with high tension wires.

Mr. James S. Howell, Attorney, appeared before [illegible] the Council requesting that the City remit [illegible] Sheet 1 Ward 2, Vance Street, property of Mr. [illegible].

Mr. Howell was instructed to present his request in writing setting forth all the facts in the case.

...ilton, seconded by Mr. W. C. Britt, Resolution Reducing ... Lot 8E, Sheet 11, ..., Black Street, Property of Isaiah Tucker ...

... RESOLUTION REDUCING ASSESSMENTS ON LOT 8E, SHEET 11, ... BLACK STREET, PROPERTY OF ISAIAH TUCKER.

..., Isaiah Tucker, owner of lot 8E, Sheet 11, ... 4, has ... City Council of the City of Asheville for a reduction of paving ... ($ ...), which has to be charged for fifty (50) feet frontage on ... the property actually calls for only forty (40) feet frontage; and

..., H. B. Rayburn, City Engineer, report ... the frontage ... fifty (50) feet on the county tax maps, but the ... property, from May 15, 1961, describe a frontage of forty (40) feet; ... City Engineer recommends that the assessment be reduced to two ... twenty-two dollars and eighty cents ($22.80) for forty (40) feet ...

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ... :

1. That the assessment for paving on Black Street, in the amount of ... hundred and seventy-eight dollars and fifty cents ($178.50), assessed ... Isaiah Tucker, for fifty (50) feet frontage, lot 8E, Sheet 11, ... 4, ... is hereby reduced to two hundred and twenty-two dollars and ... eighty cents ($222.80) for forty (40) feet frontage.

2. That the Collector of Assessments be and he is hereby instructed ... to change his records in accordance herewith.

I move the adoption of the foregoing resolution.

Plott moved
Councilman

Seconded by: W. C. Britt
Councilman

APPROVED AS TO FORM:
J. S. Morrison
CORPORATION COUNSEL

Read, approved, and adopted, this the 16th day of January, 1964.

Otis Green
MAYOR

I. S. Thompson
City Clerk.

On motion of Mr. J. S. Brookshire, seconded by Mr. Wilbur Leatherwood, Ordinan... entitled An Ordinance Regulating Parking on the City and County Plaza in South ... Street, and ... for the Immediate Preservation of the Public Peace and Safety ... the Citizens of the City of Asheville, it is hereby declared an Emergency Ordinance, ... waives on its first reading. All members of the Council present voting in favor ... of the Ordinance on its first reading.

... duly adopted by a two-thirds vote of the Council on immediately ... upon its passage on the reading; all members present voting in favor of the ... Ordinance on its only reading, and all members present voting in favor of the ... Ordinance on its ... reading. The Ordinance being adopted and declared to be an ... Ordinance of the City of Asheville to take effect after its first publication.

ORDINANCE NO. ...

AN ORDINANCE REGULATING PARKING ON THE CITY AND COUNTY PLAZA IN SOUTH ... STREET, AND ... FOR THE IMMEDIATE PRESERVATION OF THE PUBLIC PEACE AND SAFETY OF THE CITIZENS OF THE CITY OF ASHEVILLE IT IS HEREBY DECLARED AN EMERGENCY ORDINANCE.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ASHEVILLE:

SECTION 1. That the parking of any motor or other vehicle on either side of any street within the City-County Plaza be and the same is hereby prohibited, excepting the following described locations:

(a) That the parking of any motor or other vehicle on the south side of the South Spruce Street entrance into the City-County Plaza, from a point twenty-five (25) feet east of the eastern margin of South Spruce Street to a point where said entrance curves south, shall be permitted for one hour only; said parking to be parallel to the curb.

( ) That the parking of any motor or other vehicle on the ... side of the ... Street entrance into the City-County Plaza, from a point ... feet east of the eastern margin of South Spruce Street to a point where said entrance curves south, shall be permitted for one hour only; said parking to be parallel to the curb.

(c) That the parking of any motor or other vehicle on the ... side of the Plaza ... into South ... from a point ... feet east of the eastern margin of South ... Street to a point ... feet ... Street, shall be permitted for one hour only; ... parallel to the curb.

(d) That the parking of any motor or other vehicle on the ... side of South ... Street, from ... boundary of the City ... Plaza, ...

SECTION 2. That all ordinances ... conflict herewith ...

SECTION 3. That this ordinance, ... preservation of the public peace and safety of the ... is hereby declared an emergency ordinance, ... effect upon its ... reading. First publication ... in said City.

I move the adoption of the foregoing ordinance, ... day of January, 1964.

Motion ...

Rules suspended and ... readings and ... ordinance ...

Read, ..., to take effect ... first publication.

APPROVED AS TO FORM:
J. S. Morrison
CORPORATION COUNSEL.

...

It was moved by Mr. Frank C. Smith, ... Resolution Requesting the ... of Financial ... for Expenditures for Poor ... Indigent ... adopted. The motion was unanimously adopted.

A RESOLUTION ... AUTHORIZING ... EXPENDITURES.

WHEREAS, under the statutes ... is the function ... duty of ... indigent citizens; and

WHEREAS, due ... economic conditions, the number ... are in dire need of food, ... increased for the ... regular budget for said year ... necessary that ... for such additional ... dollars, contingent ... five hundred ($ ...) dollars, ... expenditures already ... and

WHEREAS, there is available sufficient sums from uncollected [illegible] to provide cash for such appropriation; and

WHEREAS, the Financial Control Act of Buncombe County provides that the Board of Financial Control, created and existing by virtue of said Act, shall have the right and power to allow and approve supplementary budgets upon the application of the City Council of the City of Asheville, when, in the opinion of said Board of Financial Control such supplementary budget or budgets are necessary; and

WHEREAS, in the opinion of the City Council of the City of Asheville the adoption of the aforementioned budget, and the authorization of an appropriation in accordance with the same, is absolutely necessary for the best interests of the citizens of the City of Asheville.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY [illegible]:

That a supplementary budget, in the sum of thirty-five hundred ([illegible]) dollars, for the fiscal year of 1931-32, for the purpose of furnishing relief to the poor and indigent of said city, be and the same is [illegible]; and that the Board of Financial Control be and it is hereby respectfully requested to approve the adoption of a supplementary budget in the sum of thirty-five hundred ($3500.00) dollars, for the purposes above [illegible].

I move the adoption of the foregoing resolution, to become effective immediately after the approval of the Board of Financial Control.

Frank S. Smith
Councilman

Seconded by: Julian A. Woodcock
Councilman

Read, approved and adopted, this the 18th day of January, 1932.

Ottis Green
MAYOR

E. G. Thompson
CITY CLERK

APPROVED AS TO FORM:
J. G. Merrimon
CORPORATION COUNSEL.

In order to comply with Section 3038 of North Carolina Code of 1927, which provides that trustees shall be appointed annually in January, known as "Trustees of the Firemens' Relief Fund", two members to be appointed by the Governing Body, the Council on motion of Mr. Smith, seconded by Mr. Wamboldt, unanimously re-appointed Mr. Carl Cowan and appointed Mr. William Redwood in the place of Mr. Rankin.

The request of the Postal Telegraph Cable Company for refund of $100.00 paid the City under protest for privilege license tax to deliver packages and messages was on motion of Mr. Wamboldt, seconded by Mr. Woodcock, ordered referred to Mr. Rigsby.

It was moved by Mr. Woodcock, seconded by Mr. Britt, that the claim of Mrs. Laughter for $10.00 for alleged damages to automobile by depression in street caused by sunken sewer pipe be referred to the City Manager.

Mr. Rigsby requested that settlement in the case of T. Galumbeck claim for damages in the amount of $18.80 for damages to his car due to city truck colliding be ratified.

On motion of Mr. Woodcock, seconded by Mr. Smith, it was ordered that the claim be allowed.

Mr. Merrimon reported that in the case of Sheffield vs City the jury returned a verdict of $325.00 and if it meets with the approval of the Council the City will not prosecute but pay the judgment.

[illegible]

Mr. Rigsby [illegible] result of injuri[illegible] the City [illegible] reported the [illegible] considerable [illegible] question.

Mr. Merrimon [illegible] Attorney General [illegible] Corporation [illegible] Kress [illegible] Corporation, [illegible] Kress [illegible].

Mayor [signature]

[illegible], February [illegible]:

The City Council [illegible] Councilmen, Clint Roy[illegible], [illegible], Louis Sigmon, Frank S. Smith, [illegible], Counsel J. G. Merrimon [illegible], [illegible] meeting was duly called to order.

The claim of the Asheville Electric [illegible] to Henry Worrell, [illegible] [illegible] [illegible] consideration of Mr. [illegible], [illegible].

[illegible]

[illegible] the City [illegible]

Mr. Joseph W. [illegible] filed a petition to [illegible] public investigation [illegible].

Mr. Wamboldt [illegible] have a public hearing [illegible].

[illegible] administrative measure [illegible] accountant, it was moved by [illegible], continue in the investi[illegible].

This motion [illegible] Mr. Wamboldt, who voted "No", [illegible].

Mr. Rigsby read an [illegible] conduct of the affairs [illegible] Article Ten of the City C[illegible].

It was moved by [illegible], seconded by [illegible], that a meeting be called for Monday, Feb. 8 at 4 o'clock [illegible] meeting to be published [illegible] of the departments and the newspapers.

City Clerk.



Monday, February 8, 1932, 10:00 o'clock, A. M.

The meeting of the Council reconvened after recess, Mayor Coman presiding. Present: Councilmen, Julian A. Roocook, Otis Green, Wilbur Devendorf and Louis Lipinsky, absent: Councilmen Britt, Boyd, W. C. Britt, Wilbur Devendorf and Louis Lipinsky, absent: Councilmen Britt, Boyd, Merrimon and City Manager R. W. Gilreath.

Ordinance #165- entitled "An Ordinance to Establish Rules and Regulations for the Conduct of the Affairs of the Civil Service Board of the City of Asheville, as provided for in Article Ten of the City Charter, same being an Emergency Ordinance for the Immediate Preservation of the Peace, Property, and Safety of the City" was introduced by Councilman, Julian A. Roocook, seconded by Councilman Louis Lipinsky, and placed on its first reading.

It was moved by Mr. Smith, seconded by Mr. Boyd, that the rules be suspended, this ordinance placed on its second and third readings. This motion was voted on, the following Councilmen voted on the suspension of the rules: to-wit, Councilmen Green, Roocook, Wambolt, Smith, Boyd, Britt, Devendorf and Lipinsky.

Moved by Mr. Wambolt, seconded by Mr. Britt that the Ordinance be passed on its second reading. Voting on the passage of the ordinance on its second reading: Councilmen Green, Roocook, Wambolt, Smith, Boyd, Britt, Devendorf and Lipinsky.

Mr. Britt moved, seconded by Mr. Devendorf that the Ordinance be passed on its third and final reading. Those voting for the passage of the Ordinance on its third and final reading: Councilmen, Green, Roocook, Wambolt, Smith, Boyd, Britt, Devendorf and Lipinsky.

The Ordinance is in the following words and figures:

ORDINANCE #165

AN ORDINANCE TO ESTABLISH RULES AND REGULATIONS FOR THE CONDUCT OF THE AFFAIRS OF THE CIVIL SERVICE BOARD OF THE CITY OF ASHEVILLE, AS PROVIDED FOR IN ARTICLE TEN OF THE CITY CHARTER, SAME BEING AN EMERGENCY ORDINANCE FOR THE IMMEDIATE PRESERVATION OF THE PEACE, PROPERTY, AND SAFETY OF THE CITY.

THE CITY COUNCIL OF THE CITY OF ASHEVILLE DO ORDAIN:

SECTION ONE - DEFINITIONS

RULE 1. The term "civil service" in these rules shall apply to all offices and positions of employment, whether permanent or temporary, in the service of the departments of police and fire of the City of Asheville.

RULE 2. The term "unclassified service" shall include the following positions which, under Section 42, Article 10, of the City Charter, are exempt from examinations:

(a) All officers elected by popular vote of the people, or persons appointed to fill vacancies in such offices.

(b) The City Manager, directors of departments, members of advisory boards appointed by such directors.

(c) The secretaries to the Mayor, the City Manager, the City Attorney, to any director of a department.

(d) The members of any board or commission appointed by the Council.

RULE 3. The term "classified service" comprises all positions in the employ of the departments of police and fire, except those enumerated in Rule 2 above.

RULE 4. The term "appointing authority" signifies the City Manager, the head of a department, or other officer designated by the City Manager as having the power of appointment to or removal from positions in the department of police and fire.

RULE 5. The term "class", or "classification", refers to any group of positions established under these rules, sufficiently similar in duties, responsibilities, and qualifications requirements, to be designated by the same descriptive title and suitably compensated within the same salary scale.

RULE 6. The term "permanent position" signifies any position in the civil service to which an employee has been regularly appointed after serving a probationary period.

RULE 7. The term "provisional position" signifies any classified position filled by temporary appointment, without competition, pending the establishment of an eligible list.

RULE 8. The term "emergency position" signifies a position which calls for the services of an incumbent for a period not to exceed sixty calendar days.

RULE 9. The term "new position" means a position created through the authorized addition, to the departments of police and fire, of a position not previously existent.

RULE 10. The term "eligible list" signifies a list of names of persons who have been found qualified, through suitable examination, for employment in positions allocated to a special class, arranged in order of merit.

RULE 11. The term "Promotion", or "advancement", means the transfer of an employee, made in accordance with these rules and regulations, from a lower class to a higher class, involving an increase in responsibility, a change in classification, and the application of a higher salary scale. This term does not include the assignment of an employee, by the City Manager or other appointing authority, to new duties, when such duties are consistent with the general class to which such employee has been assigned.

## SECTION TWO - MEETINGS AND STAFF

RULE 12. MEETINGS: The Director of said Civil Service Board shall preside at all meetings; such meetings may be called from time to time by the director or secretary of said Civil Service Board, at such times as the dispatch of its business requires, said meetings to be held at least once each month. The majority of said Board shall constitute a quorum.

RULE 13. SECRETARIAL SERVICES: The City Manager shall provide such secretarial services as the work of the Board requires, such services to be drawn from employees in the city administration; provided that in case such persons so provided do not have technical experience and qualifications to directly administer examination, or other technical duties, as hereinafter provided, persons so qualified may be obtained outside of the city administration from time to time by the City Manager. All administrative duties hereinafter defined may be delegated by the Civil Service Board to the secretarial services so provided.

RULE 14. The City Manager shall provide office space and all necessary equipment for the conduct of the work of said Civil Service Board, as herein provided.

## SECTION THREE-OFFICIAL RECORDS.

RULE 15- MINUTES: The Civil Service Board shall keep a minute record of all official actions of the Board, as are required under these rules.

RULE 16. OFFICIAL ROSTER: The civil Service Board shall maintain an official roster of all employees in the classified service, showing their names, titles, and rates of pay. No payroll or account for thepayment of wages or salaries, to any person in the classified service, shall be certified or approved by the Board unless such name has been placed upon this roster in accordance with the Civil Service laws and these rules and regulations.

RULE 17. OTHER RECORDS: The Board shall maintain files of the official classification of examination papers, of efficiency records, of correspondence, and of otherpapers or data accumulated in the execution of these rules and regulations. A complete summarized history of thequalifications, personal information, abilities, training, experience, grades in entrance or promotional examinations, efficiency ratings, disciplinary actions, andsuch other matters as the Board may decide shall be maintained for each employee of the classified service. All records so kept shall be open to the City Manager or other appointing authority at all times.

## SECTION FOUR - CLASSIFICATION

RULE 18. CLASSIFICATION PLAN: The classes of positions as may be made from time to time, in accordance with these rules, shall constitute the classification plan for positions in the classified service. In the absence of such a plan when these rules and regulations are officially adopted, the Civil Service Board shall proceed forthwith to prepare such plan, and in the manner specified hereafter. The Plan so prepared shall not take effect until approved by the City Manager. The Civil Service Board, with the approval of the City Manager, may amend the classification plan from time to time by providing for the establishment of new classes, the abolishment of existing classes, or the combiningof two or more classes.

RULE 19. CLASS SPECIFICATIONS: The Civil Service Board shall maintain in its offices, a record showing for each class established: (1) the class title, (2) a statement of the duties of the class, (3) typical examples of tasks performed by employees holding positions within the class, (4) the minimu qualifications required of applicants for positions within the class, (5) the line of promotion, and (6) the standard scale of compensation for such class. The Civil Service Board may revise the specifications for any class, with the approval of the City Manager. The official copy of the classification plan shall be open to inspection by the public, under reasonable conditions, at all times during busines hours.

RULE 20 NEW OR RE-CLASSIFIED POSITIONS: Whenever a new classified position is established, or the duties of an existing position are so changed that in effect the old position, as described, no longer exists, andin its place there is created a new position of a different class, the appointing authority shall report such fact to the Civil Service Board, with a full statement of the circumstances and a description of the duties as changed. The Board shall thereupon investigate



the actual or suggested duties and qualifi[illegible] re-classify position by allocating it to the [illegible] the classification plan. The Bo[illegible] motion, make investigations of new or of position in the [illegible] may in accordance with these rules and [illegible] of such positions whenever the facts are such as to warrant such action. No change in the allocation of any position shall be made, however, under the provisions hereof orother appointing authority shall have been consulted with respect to the proposed changes.

## SECTION FIVE - EXAMINATIONS

RULE 21. NOTICE OF EXAMINATIONS: Notice of competitive and promotional examinations shall be given by publication in the newspaper of the City of [illegible] having the largest or second largest circulation, and in all cases of [illegible] thereof havingthe largest circulation in the City, and by posting a notice in a conspicuous place in the city hall and such other places as the Civil Service Board may desire, said publication and notice to be at least [illegible] of the day set for said examination.

RULE 22. FILING OF APPLICATIONS: Applicants to positions in the Civil Service must fill out their application forms in person, in ink or on the typewriter. All applications shall be completed, signed, and sworn or affirmed to, and filed in the office of the Civil Service Board not later than five o'clock P. M. of the third day preceding the examination. The Civil Service Board may reject any applications which do not satisfy the following requirements, as may be established in the class specifications of the position for which application is made, namely, age, sex, and physical requirements, or, an applicant who has intentionally made a false statement in his application with regard to any material fact, or, in the case of an incumbent who served previously in the classified service and was removed for cause or did not resign in good standing.

RULE 23. EXAMINATIONS TO BE PRACTICAL: All fitness tests shall be practical in character; shall relate directly to those matters and will fairly test the relative capacity of the person examined to discharge the duties of the class to which appointment is sought, and, wherever appropriate, shall include tests of physical qualifications, health, mental ability, and manual skill.

RULE 24. CONTENT OF EXAMINATIONS: The fitness tests used to establish a list of eligibles for any class shall consist of written, oral, or performance tests, which are intended to measure oneor more of thefollowing qualifications, although other tests may be employed if, in the judgment of the Board, they are suitable:

(a) Educational achievement as shown (1) by the completion of courses in educational institutions and technical schools of recognized standing, or (2) by the possession of the information, and the ability to use it, which such courses are intended to provide.

(b) Employment record, including experience in past occupations, his reputation, and standing in the community.

(c) Abstract intelligence.

(d) Social intelligence.

(e) Mechanical aptitude or abilities.

(f) Specialized knowledge useful in performing the duties of positions allocated to the class, and ability to use such specialized knowledge.

(g) Skill or proficiency as shown in the performance of typical tasks.

(h) Physical condition, strength, and agility.

(i) Morality, integrity, reliability and other matters of character.

(j) In the case of promotion, in addition to the above tests consideration shall be made with respect to probable fitness as shown by the character of service (service ratings) in lower positions, and the recommendations of a promotional board consisting, in the case of police examinations, of the Director of Public Safety, who shall also serve as secretary, the Chief of Police, and one other ranking police officer who is in a position to judge the character of the candidates' past services and their probable success in the position under consideration. In the case of fire examinations, such Board shall consist of the Director of Public Safety, the fire chief, and one other ranking fire officer. A weight of at least twenty-five (25) percent shall be given by the Civil Service Board to the candidates' final scores of the findings of this promotional board. Consideration in promotional examinations shall also be accorded to the length of service (seniority) of all candidates. The credit for seniority shall be applied by adding not more than two (2) points to the final weighted score of the candidate for the first five years of service, and for each succeeding five years not more than one-half (1/2) point.

Any one or more of the above tests may serve as qualifying tests, thereby prohibiting the candidate, if he fails in such test, from further examination; or any one or more test may be applied after the final weighted score of the candidate has been determined, and if he does not qualify he will be debarred from the eligible list, no matter what his final score may have been.

RULE 25. IDENTIFICATION NUMBER: The identify of all persons taking competitive, assembled, written tests, shall be concealed from the examiners and persons grading such tests by the use of an identification number, which shall be used on all examination papers and the candidate's application form when he presents himself for examination. This number shall be used from the beginning of the examination until the papers have all been rated.

RULE 26. RATING OF THE EXAMINATIONS: All examinations shall be completed as promptly as possible. Each part of said test or examination for any class shall be separately rated on the scale of one hundred (100) as a perfect score, so that the proficiency of each competitor in each particular so rated can be ascertained. The final score of the competitor shall be obtained by weighting each test according to the importance allocated to it and making the appropriate calculations therefrom on the basis of one hundred (100) as a perfect score. The Board shall establish a minimum final score required for passing and being placed on the eligible list. The Board shall keep for a period of at least two years a copy of any written test used, a description of any other test used, a copy of the public notice of said test, and a copy of the scoring standards employed. Any competitor shall have the right to inspect his own papers and inform himself as to the markings given on each subject or question, and to submit in writing, for the Board's consideration, within five days after notification of his grade, any objection or protest he may wish to make concerning the grades given him.

RULE 27. POSTPONEMENT AND CANCELLATION: The Civil Service Board shall have the right to postpone any examination because of an inadequate number of applications, because of the non-attendance of special examiners, or for other sufficient cause.

## SECTION SIX - ELIGIBLE LIST.

RULE 28. PREPARATION OF ELIGIBLE LIST: Following the completion of the rating of all tests and/or examinations, the Board shall prepare a statement showing the names of the candidates, the raw score of each candidate in each test or group of tests, and the total weighed score of each candidate. The names of candidates shall be arranged in this statement in the order of total weighted scores, with the highest first; provided, that if two or more candidates have the samw weighted score, the name of the candidates shall appear on the list in the order of their application.

RULE 29. NOTICE TO CANDIDATES: As soon as possible after the preparation of an eligible list for a particular class, and in any case within a week, the Board shall send to each candidate a written report of thescore given him and whether his name has been placed upon the eligible list. If the candidate's name has been so placed, he shall be informed of the relative standing on such list.

RULE 30. DURATION OF LIST: The term of eligibility of each list, and of the names appearing thereon, shall be fixed by the Board at not less than one year nor more than two years; provided, however, that any such list may be revoked and another examination ordered only when, in the judgment of the Board, such action is deemed advisable on account of errors, fraud, obviously inappropriate standards prescribed in connection with any examination, or when the interests of the service so demand. All competitors in the first examination shall be given an opportunity to compete in establishing a new eligible list.

RULE 31. DISQUALIFICATION OF ELIGIBLES: If at any time after the establishment of an eligible list, the Board has reasons to believe that any person whose name appears on any list is disqualified for appointment because of incapacity developed subsequent to his examination, because of errors disclosed in computing his examination score, because of false statements made in his application, or for other sufficient reasons, such person may be removed from such eligible list, provided that he be notified and given an opportunity to satisfy the Board that he should not be so disqualified.

RULE 32. CHANGE OF ADDRESS: Each person on an eligible list shall file with the Board written notice of any change in address, and failure to do so may cause his name to be removed from the list.

## SECTION SEVEN - APPOINTMENT IN COMPETITIVE SERVICE

RULE 33. CERTIFICATION PROCESS: Immediately upon receipt of written request for certification from an appointing authority, the Board shall certify to such authority, from the eligible list applying to the class for which certification is requested, the names and addresses of the three persons standing highest on such list, such names to be presented, however, without respect to the order of their scores. If there be more than one vacancy to be filled, the number of names to be certified shall be determined in the following manner:



(a) For two to four vacancies, and the three successive names on the eligible list in addition to the three persons standing highest on such list.

(b) For four to seven vacancies, and five such names.

No person shall be certified from an eligible list more than four times to the same appointing authority, except at the request of said appointing authority.

RULE 34. NOTICE OF CERTIFICATION: Written notices of certification, directing the person certified to report for an interview with the appointing authority, shall be mailed to them at the same time that the certified list is submitted to the appointing authority.

RULE 35. PROVISIONAL APPOINTMENTS: Whenever there are urgent reasons for filling a vacancy, and the Board is unable to certify a list of persons eligible for appointment after a competitive examination, the appointing authority may nominate a qualified person for provisional appointment. Such provisional appointment shall continue in force only until permanent appointment can be made from an eligible list which shall be prepared by the Board, and such permanent appointment shall be made within sixty calendar days thereafter.

RULE 36. EMERGENCY AND TEMPORARY APPOINTMENTS: In case of an emergency or temporary need an appointment may be made by the City Manager or other appointing authority without regard to these rules. In no case shall such an appointment continue longer than sixty calendar days, and in no case shall successive reappointments follow directly upon one another. Such temporary appointments may be made from lists of persons eligible for permanent employment, but acceptance or rejection of an eligible for temporary appointment shall not affect his standing on the eligible list. Such appointments shall be reported promptly to the Civil Service Board.

RULE 37. EXEMPTION FROM COMPETITION: In case of a vacancy in a position in the classified service, where peculiar and exceptional qualifications of a scientific, managerial, professional, or educational character, and in connection with which there is substantial difficulty in obtaining qualified applicants, and for which non-assembled examinations are found necessary, the Board, with the approval of the City Manager, may suspend the provisions of the rules and regulations in such case.

## SECTION EIGHT - REJECTION ON PROBATION.

RULE 38. PROBATIONARY PERIOD: All permanent appointments shall be for a probationary period of three months, and no appointment or promotion shall be deemed finally made until the appointee has served his probationary period to the satisfaction of the appointing authority, as stated in writing to the Civil Service Board.

RULE 39. REPORT OF UNSATISFACTORY EMPLOYEE: At the end of the probationary period, or at any time duringsuch period, if the appointing officer finds the services of the probationary employee to be unsatisfactory, said appointing authority shall transmit to the Board a statement of the facts and the employee shall be removed or demoted without restriction; provided, that any employee promoted and rejected shall have the right to have his name placed on the eligible list of the class from which promoted, the position on such list to be based upon the relative position of his score, in the examination for such class, to the other scores on the eligible list.

## SECTION NINE - PROMOTION AND ADVANCEMENT

RULE 40. FILLING OF VACANCIES IN HIGHER POSITIONS: Vacancies in higher positions in the classified service shall be filled, insofar as possible, by the promotion or advancement of employees in theservice. The Board shall in each case determine, with the approval of the City Manager, whether or not open competitive tests or examinations shall be held, or whether a promotional examination shall be computed among the eligible employees of the department in which a vacancy occurs. The Board, with the approval of the City Manager, shall also determine what classes of employees are eligible to compete for promotion by reason of fitness previous experience in work which would be natural preparation for the higher position.

RULE 41. LINES OF PROMOTION: The Civil Service Board, with the approval of the City Manager, shall establish the lines of promotion from one class within the civil service to another, which shall be followed in all cases when postions in higher classes are filled by promotion of employees already in the service.

## SECTION TEN - LAY-OFF AND REINSTATEMENT

RULE 42. LAY-OFF PROCEDURE: Whenever it becomes necessary in any department, through lack of work or funds, or for other causes, to reduce the number of employees within a class, provisional appointments, if any, shall be the first laid-off, and thereafter the least efficient permanent employee as shown by the most recent efficiency or service ratings. In such a case the appointing authority shall obtain the efficiency or service ratings of the employees of the class involved from the Civil Service Board.

SECTION ELEVEN- DISMISSALS AND SUSPENSIONS.

RULE 43. GROUNDS FOR DISMISSAL OR SUSPENSION: Any employee may be dismissed or suspended by the City Manager, or other appointing authority, in case of neglect or breach of duty, inefficiency, political activity, misconduct, or violation of the rules and regulations of the department of which such employee is employed. A written notice of such suspension or dismissal, stating the specific charges or reasons therefor, shall be submitted to the employee so dismissed or suspended.

RULE 44. HEARING: Any officer or employee dismissed or suspended shall have a public hearing before the Civil Service Board, if he so requests in writing within five days. The conduct of such hearing and investigation by the Civil Service Board, and the submission of the findings thereof to the City Manager for final action, shall be in accordance with the procedure as provided for by the Charter of the City of Asheville.

RULE 45. RESIGNATION WITH CHARGES PENDING: Any permanent employee dismissed, or who resigns while not in good standing, shall not be eligible to apply for future employment in thedepartment of the City of Asheville in which he was employed.

SECTION TWELVE - RESTRICTIONS REGARDING OUTSIDE EMPLOYMENT

RULE 46. OUTSIDE EMPLOYMENT PROHIBITED: No officer of the fire or police departments shall have any other employment or pursue any gainful occupation except that involved in such officer's position in the City service.

SECTION THIRTEEN - EFFICIENCY OR SERVICE RATINGS

RULE 47. REPORTS REQUIRED: Efficiency or service ratings relative to the conduct and capacity of all permanent employees in the classified service shall be made by the City Manager and/or persons designated by him at least twice each year, on forms prescribed by the Civil Service Board and approved by the City Manager. Such efficiency ratings shall be evaluated and tabulated for each respective department by the Civil Service Board. A copy of the relative ratings of each employee, as determined by these reports, shall be submitted in confidence to each appointing authority concerned. Each employee shall have the right to obtain from the Civil Service Board a statement of his efficiency markings.

RULE 48. RECOMMENDATIONS REGARDING EFFICIENCY: The Civil Service Board shall report to the appointing authorities all cases where the efficiency ratings indicate the employee or employees concerned are not sufficiently competent to be continued in the City service. Any case of failure of a classified employee to maintain a satisfactory efficiency record shall be sufficient ground for the appointing authority to dismiss such employee. Said Board may also make special investigations concerning the efficiency of employees in the classified service, as provided by Charter, and in such event shall submit their findings to the appointing authority.

SECTION FOURTEEN - POLITICAL ACTIVITY

RULE 49. POLITICAL ACTIVITY PROHIBITED: No person shall be appointed a member of the police and fire departments on account of any political partisan service rendered by him, or on account ofpolitical sentiments or affiliations, nor shall any person be removed or discharged or reduced in grade for any political opinions. The appointments and continuance on the police and fire department shall depend solely on their ability and willingness to enforce the law and comply with the rules and regulations of the police and fire departments. No appointment to, or continuance in, any position on the police or fire departments shall be as reward for political activity or obtained by political service or contribution to campaign funds, nor shall nay member of either of said departments pay or collect any assessments made by political organizations, or contribution to political campaign funds, or be unduly active in politics, or work for the election of candidates for office, during the continuance of their service in said department.

RULE 50. DEFINITION OF POLITICAL ACTIVITY: Undue political activity shall consist of any one or more of the following acts:

(a) Electioneering for candidates for public office.

(b) Retaining, accepting, or exercising membership in any campaign, executive, general, or special committee of a political party or non-partisan organization having for its object the election of any candidate for public office.

(c) Acting as a worker, runner, challenger, orinspector for a candidate or political organization or individual at a special or general election.

(d) Contributing money, directly or indirectly, to any political party, candidate for public office, or soliciting directly or indirectly contributions for the aid of a political party or any candidate for public office.

(e) Attending while on duty or participating in proceedings of any convention; provided, however, that any member of thepolice or fire department may attendsuch conventions in any official capacity for thepreservation of public peace, safety, and protection, but while so doing such member shall not participate in the proceedings of such convention.

(f) Transporting voters to polls on day of election, other than members of the immediate family.



SECTION FIFTEEN - NOTICE OF AMENDMENTS

RULE 51. No amendment, change, or addition in these rules and regulations shall be made without the approval of the City Manager and the Council. Amendments or changes so made shall be furnished each appointing authority and shall be furnished any citizen upon request.

SECTION SIXTEEN - CONFLICT CLAUSE

RULE 52. This ordinance hereby repeals ordinance #155, being "An Ordinance Providing for Examination as to the Qualifications of All Applicants for Appointments to Positions in the Police and Fire Departments, and Providing for Examination of Members of the Police and Fire Departments of the Department of Public Safety, who Have Served Less Than Twelve Months; Also Providing for Better Discipline in the Department of Public Safety as Provided for in Article Ten of the New City Charter under the Department of Civil Service Which was Passed and Ratified by the General Assembly of North Carolina on theThirtieth Day of March, One Thousand Nine Hundred and Thirty One, and repealing all Ordinance in Conflict Herewith", and all ordinances and parts of ordinances in conflict with these rules and regulations are hereby repealed, and in case any rule or part of a rule herein set forth is in conflict with any article or section of the City Charter, it shall not void other rules and sections of these rules and regulations.

I move the adoption of the foregoing ordinance, this the8th day of February, 1932.

Julian A. Woodcock
COUNCILMAN

SECONDED BY: Louis Lipinsky
COUNCILMAN

Rules suspended and immediately put upon its second and third readings and adopted and declared to be an ordinance of the City of Asheville.

Read, approved, and adopted, this the 8th day of February, 1932, to take effect after its first publication.

Orris Green
MAYOR

E. C. Thompson
CITY CLERK

APPROVED AS TO FORM: J. G. Merrimon
CORPORATION COUNSEL.

There being no further business, the meeting, on motion, adjourned.

Orris Green
Mayor

City Clerk.

Thursday, February 11, 1932- 4:00 P. M.

The City Council met in regular session, Mayor Green presiding. Present: Councilmen, Plott Boyd, W. C. Britt, H. G. Brookshire, Wilbur Levenduff, Orris L. Green, Louis Lipinsky, Frank S. Smith, Wickes Wamboldt and Julian A. Woodcock, City Manager, R. W. Rigsby and Corporation Counsel, J. G. Merrimon. The minutes of the previous meeting were read and approved.

Mr. Rigsby read a report of the result of his investigation of the complaint filed by Mr. J. W. Little on February 4th of irregularities in the Fire Department, together with transmittal of audit of Mr. W. Bowen Henderson, Certified Public Accountant, who made an audit of the accounts of the Firemen's Relief Fund and other funds in question. The report and audits were filed with the Council.

Mr. J. W. Little, Attorney, offered objections to the report, stating the investigation was inadequate and unfair and requested a full investigation.

Mr. Wamboldt moved that the City Manager's report be received as information. The motion was seconded by Mr. Lipinsky and passed, all members voting "Aye".

A motion was made by Mr. Smith, seconded by Mr. Woodcock, that the report be referred to a committee of three of the Council for study and investigation with the power to recommend further procedure. After some discussion, Mr. Smith withdrew his motion.

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It was suggested by Mr. Boyd that the Corporation Counsel render an opinion as to the duties of the Council in regard to this matter.

Mr. Merrimon suggested that Mr. Little substantiate his charges that the investigation was unfair, in writing.

Mr. Rigsby requested that the Council investigate the charge made by Mr. Little that the investigation was conducted in an unfair manner.

Mr. Wamboldt moved, seconded by Mr. Lipinsky that the Council sit as a committee to go into the matter that Mr. Rigsby's investigation was conducted in an unfair manner. Mr. Lipinsky made a substitute motion, which was seconded by Mr. Wamboldt, that the Mayor appoint the Council as a committee of the whole to investigate the charges of unfairness on the part of Mr. Rigsby in investigating the charges of the firemen. Motion was voted on and carried unanimously.

There being no further business, the meeting, on motion, adjourned.

Mayor

City Clerk.

Thursday, February 18, 1932- 4:30 P. M.

The City Council met in regular session; Mayor Green presiding. Present: Councilmen, W. C. Britt, Plott Boyd, H. G. Brookshire, Ottis Green, Louis Lipinsky, Julian A. Woodcock, Wickes Wamboldt, Wilbur Devendorf, Corporation Counsel, J. G. Merrimon, and City Manager, R. W. Rigsby. The minutes of the previous meeting were read and approved.

A petition signed by thirty-three residents and tax payers of Short Dorchester Avenue, Bryant Street and Knob Circle requesting a street light and fire hydrant on the corner of Short Dorchester Avenue and Knob Circle was presented and on motion of Mr. Wamboldt, seconded by Mr. Woodcock referred to the City Manager.

Mr. [illegible] Galloway, attorney, representing Mrs. Elizabeth Davis who filed claim on January 14th, for alleged damages on account of surface water diverted on her property on Fennel Avenue, requested that some action be taken.

It was moved by Mr. Woodcock, seconded by Mr. Devendorf that the matter be referred to the City Manager for report at the next meeting.

Mr. Rigsby made a report that the matter had been investigated and he recommended that the city put in a pipe line of sufficient size to carry the water off Mrs. Davis' property.

It was moved by Mr. Wamboldt, seconded by Mr. Devendorf, voted on and carried that the recommendation of the City Manager be adopted.

Mr. J. A. McIntuff appeared before the Council and requested exemption of license tax on shoe repairing shop operated by himself; stating he was unable to pay the tax.

On motion of Mr. Britt, seconded by Dr. Brookshire, and unanimously carried this matter was referred to the City Manager for adjustment.

Mr. Rigsby recommended that the name of H. E. Davis, City Accountant, be placed on the schedule of bonds required of the various officials of the city, bond to be in the amount of $5,000.

A motion was made by Mr. Britt, seconded by Mr. Wamboldt, and carried that the recommendation of the City Manager be adopted.



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Mr. Rigsby presented a petition signed by J. A. McRary, A. L. Brady and T. R. Bryan for a permit to operate a bowling alley at 709 Haywood Road.

This matter was taken under advisement until next meeting of the Board pending investigation.

Mr. Rigsby read a letter from DeVane C. Lentz, Assistant Corporation Counsel, in regard to his investigation of the claim of the Asheville Mica Company for damages renered Henry Marshall, who was injured by falling from a gate at the baseball park, and recommended that this claim be denied.

Motion was made by Mr. Wamboldt, seconded by Dr. Brookshire, voted on and carried, that the recommendation of the City Manager be adopted.

On motion of Mr. Britt, seconded by Mr. Woodcock, A resolution authorizing the Director of Finance to execute contract for two riding devices for the recreation Park was unanimously adopted.

RESOLUTION AUTHORIZING THE DIRECTOR OF FINANCE TO EXECUTE CONTRACT FOR TWO RIDING DEVICES FOR THE RECREATION PARK.

WHEREAS, for the purpose of obtaining such equipment, and for the pleasure of the public in general, the City Council of the City of Asheville is desirous of having installed at the Recreation Park two devices known as the "Whip" and the "Merry-Mix-Up".

THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ASHEVILLE:

1. That the Director of Finance of the City of Asheville is hereby authorized and empowered to execute a contract with The Georgia Amusement Co. Incorporated, of Charlotte, North Carolina, to install at the Recreation Park, a park owned by the City of Asheville, two devices known as the "Whip" and the "Merry-Mix-Up".

2. That said contract is to be executed on the condition that the City of Asheville shall receive from the net profit of said devices, one half of its total net profit.

I move the adoption of the foregoing resolution.

W. C. Britt

Seconded by: Julian A. Woodcock

Read, approved, and adopted, this the 18th day of February, 1932.

E. G. Thompson
CITY CLERK

Ottis Green
MAYOR.

APPROVED AS TO FORM: J. G. Merrimon
CORPORATION COUNSEL.

Mayor Green presented an invitation from the Principal of the Asheville High School to the members of the Council to attend a basket ball game to be played on February 19th between the Asheville High School and the Charlotte High School.

Moved by Mr. Lipinsky, seconded by Dr. Brookshire, that the Council attend in a body.

There being no further business, the meeting, on motion, adjourned.

Mayor

City Clerk.

Thursday, February 25, 1932- 4:30 P. M.

The City Council met in regular session; Mayor Green presiding. Present: Councilmen, W. Ross Wheelock, Louis Lipinsky, Ottis L. Green, Wilbur Devendorf, H. G. Brookshire, W. C. Britt and Plott Boyd, Corporation Counsel, J. G. Merrimon and City Manager, J. W. Digsby. The minutes of the previous meeting were read and approved.

Mr. Erwin A. Gaskill, Chairman of the Committee on Public Service Rates and Service, representing the Community Cooperative Association, appeared before the Council in regard to taxes paid by the Telephone Company according to the terms of the Franchise, and the extra charge for French telephones. He stated he had secured from Mr. Lentz a statement of the gross receipts of the Southern Bell Telephone Company from 1913 to 1931, but as it was not the information he desired he requested definite information regarding the gross income with affidavits to same from local Manager and Auditor of the Telephone Company.

Mr. Herbert Allen asked that a committee be appointed to go into the matter thoroughly.

It was moved by Mr. Wamboldt, seconded by Mr. Britt, that a committee of three be appointed to work with the City Manager, Mr. Lentz, Mr. Gaskill's Committee and Mr. Blease. Mayor Green appointed on this Committee; Councilmen Wickes Wamboldt, Plott Boyd and W. C. Britt.

Report of the Council, sitting as a committee to investigate the charges made at the meeting of February 11, by Mr. Joseph W. Little, Attorney for the firemen, that the report made by Mr. J. W. Digsby, City Manager, to whom the complaint of said firemen had been submitted for investigation, was inadequate and unfair was presented to the Council and on motion of Mr. Devendorf, seconded by Mr. Britt, voted on and carried the report was accepted.

At the meeting of the Council on the 4th day of February, 1932, Mr. Joseph W. Little presented to the Council a paper containing complaints and charges of matters relating to the fire department, and attached to his enumerated charges was a paper signed by thirty-seven members of the fire department, in which they say they "desire to have investigated the Firemen's Relief Fund and certain other matters relating to the Asheville fire department, and hereby authorize Joseph W. Little as our attorney to take whatever steps may be necessary to that end".

The request was made by Mr. Little that a public hearing be had on the matters in the paper presented by him and he further requested that, if the investigation justified it, there be a complete re-organization of the Asheville fire department. After some discussion of the matter it appeared to the Council that the City Manager had, prior to the presentation of this request, instituted an investigation which was then in progress, and the City Manager was directed to pursue the said investigation and make a report at a later date to the Council.

On February 11, the City Manager made a report, which was heard, and at the same time presented certain documents containing an audit which explained the matters mentioned in the report.

After the presentation Mr. Little, who had charge of the presentation of the complaint, stated that the investigation was inadequate and unfair and requested a full investigation of the matters. Whereupon Mr. Digsby requested that an investigation of his conduct and the charges made against him by Mr. Little should be made by the Council. After some discussion the Council decided to sit as a committee and investigate the charges of the unfairness of the City Manager in making his investigation, and the time for the meeting and beginning of the investigation was set for the Monday following.

When the Council met neither Mr. Little nor any firemen were present, but the Mayor read a letter, written by Mr. Little, which had been left on his desk that afternoon by one of the firemen, in which it was said that the firemen had told him that it was the opinion of Mr. Green, the Mayor, that a satisfactory solution could be had of the present controversy without any further meetings of the Council on the subject, and he had been instructed by the firemen to say that so far as they were concerned the charges that the investigation held by Mr. Digsby was inadequate and unfair should be withdrawn.

It appeared afterwards that, prior to this letter, a committee of the firemen had presented to Mr. Digsby certain demands including the removal of certain officers and members of the fire department, or their demotion, and also certain changes in the way the business of the fire department should be conducted, which Mr. Digsby declined to entertain; that afterwards these demands were presented to the Mayor at his place of business and he told them that he had no authority to accede to such requests or demands but that if he could be of any assistance in adjusting the difficulties he would be glad to do so as a private citizen, but not as Mayor; and a letter written by Mr. Little to him soon after this interview.



The letter being entirely unsatisfactory to the Council, after some considerable delay various members of the fire department were brought in and examined under oath, and during the investigation Mr. Little came in. It was explained at this meeting that the charges must be withdrawn without qualification, and an apology or statement made that Mr. Digsby had treated them fairly in every respect. After some conference the firemen present and Mr. Little said that they were acting for the men who had signed the original complaint and they did not feel at liberty to enter any such unqualified retraction until they had had an opportunity to discuss the matter with the men who had signed the paper.

On Thursday afternoon following, a committee of three appeared before the Council, acting as a committee, and stated that they had no instructions to make, and Mr. Little had and presented a long typewritten pages undertaking to show that the investigation made by the City Manager was inadequate and unfair in various particulars, charging, among other things, intimidation by having the assistant fire chief on duty in room nearby where the witnesses were required to go in and out; by not including questions; by not including the full report; practically a suppression of facts; and insisted that no proper investigation had been made and that was done was one-sided and arbitrary; that he was censoring and complaining certain members and officers of the fire department.

Therefore, on Thursday night of February 18, the investigation proceeded. Thirty-six of the thirty-seven firemen who signed the paper were sworn and examined by the city attorney; and Mr. Plemmons, President of the Central Labor Union, Mr. Baumberger, an attorney, Mr. Hayes, Chiefmens, were permitted to ask such questions as were proper and necessary to develop the facts, going away out of the purpose and intendment of the investigation, as was as to the improper and unfair conduct of the City Manager.

There were ten witnesses examined the first night, all under oath. Twenty-six of the firemen were examined the second night, all under oath and in addition thereto Mr. Lentz, Mr. Digsby, Mrs. Rollins, and some other witnesses were examined. Every witness testified that they had been treated fairly by Mr. Digsby; that he had endeavored, they thought, to bring out and ascertain all the facts; they had no grounds of complaint to make, nor was there any foundation whatever for any charge of unfairness.

The Council thereupon passed a resolution finding the facts, for all the sworn evidence before it, that the charges made against Mr. Digsby by Mr. Little were without foundation and not justified. All men voted for this except Mr. Wamboldt, who said that he had not had time to read the evidence after it had been written up by the stenographer, and that he had an opportunity to interrogate Mr. Massey, the only fireman who was not examined because he could not be located.

Mr. Digsby was instructed to continue the investigation of the complaints made, to see if he could obtain further evidence in regard to the matters mentioned.

(Signed) Ottis Green
W. C. Britt
Plott Boyd
Wilbur Devendorf
Louis Lipinsky
H. G. Brookshire
Wickes Wamboldt

A resolution requesting the Board of Financial Control to transmit a supplementary budget for expenditures for poor and indigent was presented and on motion of Mr. Britt, seconded by Mr. Brookshire, unanimously carried.

A RESOLUTION REQUESTING THE BOARD OF FINANCIAL CONTROL TO AUTHORIZE SUPPLEMENTARY BUDGET FOR EXPENDITURES FOR POOR AND INDIGENT

WHEREAS, under the statutes of the State of North Carolina, it is the function and duty of the City to care and provide for the poor and indigent citizens; and

WHEREAS, due to the unusual and extraordinary local and general economic conditions, the number of cases of poor and indigent citizens who are in dire need of food and clothing, and other relief, has been greatly increased for the fiscal year of 1931-32, and the appropriation made in the regular budget for said year has been exhausted and it has become absolutely necessary that a further appropriation be made, in order to take care of and for such additional cases, in the sum of ten thousand, six hundred thirty-one dollars and twenty five cents ($10,631.25) contingent upon the County making a supplementary budget of thirteen thousand, six hundred sixty-eight dollars and seventy-five cents ($13,668.75), which will, it is estimated, take care of expenditures for the five months of the fiscal year, beginning February 1, 1932, and ending June 30, 1932; and

WHEREAS, in addition to this, and in order that the City use the labor of the poor and indigent citizens of the City of Asheville, it is necessary for them to have an appropriation of six thousand ($6,000) dollars for emergency formen, emergency trucks and supplies, which appropriation is to be used strictly for this purpose; and

WHEREAS, there is available sufficient sums for uncollected delinquent taxes to provide cash for such appropriation; and

WHEREAS, the Financial Control Act of Buncombe County provides that the Board of Financial Control, created and existing by virtue of said Act, shall have theright and power to allow and approve supplementary budgets upon the application of the City Council of the City of Asheville, when, in the opinion of said Board of Financial Control such supplementary budget o budgets are necessary; and

WHEREAS, in the opinion of the City Council of the City of Asheville the adoption of the aforementioned budget, and the authorization of an appropriation in accordance with the same, is absolutely necessary for the interests of the citizens of the City of Asheville.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ASHEVILLE:

That a supplementary budget, in the sum of sixteen thousand, six hunared thirty-one dollars and twenty five cents ($16,631.25) for the fiscal year 1931-32, for the purpose of furnishing relief to the poor and indigent of said city, be and the same is hereby adopted; and that the Board of Financial Control be and it is hereby respectfully requested to approve the adoption of a supplementary budget in the sum of Sixteen thousand six hundred thirty one dollars and twenty five cents ($16,631.25) for the purposes above stated.

I move the adoption of the foregoing resolution, to become effective immediately after the approval of the Board of Financial Control.

W. C. Britt
Councilman

Seconded by: H. G. Brookshire
Councilman

Read, approved and adopted, this the 26th day of February, 1932.

Ottis Green
Mayor

E. G. Thompson
City Clerk.

Approved as to form:
J. G. Merrimon
Corporation Counsel.

An ordinance regulating parking on alley from Battery Park Avenue to Page Avenue was presented and taken under consideration until next meeting.

On motion of Mr. Lipinsky, seconded by Mr. Devendorf the following resolution was unanimously adopted.

RESOLVED, that the Council hereby request the Board of Financial Control for Buncombe County to approve the issuance of notes of the City of Asheville in an aggregate amount not exceeding $4,900,001.37 for the purpose of renewing and extending the timeof payment of the principal and interest on $4,750,000.00 of outstanding Revenue Anticipation Notes of the City of Asheville, described in the following schedule:

| Amount | Numbers | Date | Last Maturity | Interest Rate |
|---|---|---|---|---|
| $150,000 | 1-15 | May 1, 1931 | March 1, 1932 | 4½% |
| 105,000 | 1-21 | May 1, 1931 | " " " | 4½% |
| 110,000 | 1-22 | May 1, 1931 | " " " | 4½% |
| 100,000 | 1-20 | May 1, 1931 | " " " | 4½% |
| 100,000 | 1-20 | May 1, 1931 | " " " | 4½% |
| 100,000 | 1-20 | May 1, 1931 | " " " | 4½% |
| 150,000 | 1-30 | May 1, 1931 | " " " | 4½% |
| 250,000 | 1-35 | May 30, 1931 | " " " | 4½% |
| 140,000 | 1-14 | May 1, 1931 | " " " | 4½% |
| 350,000 | 1-45 | May 1, 1931 | " " " | 4½% |
| 250,000 | 26-50 | June 15, 1931 | " " " | 4½% |
| 280,000 | 21-36 | Sept. 1, 1931 | " " " | 4½% |
| 300,000 | 1-30 | May 1, 1931 | " " " | 4½% |
| 200,000 | 21-50 | Sept. 1, 1931 | " " " | 4½% |
| 300,000 | 1-30 | May 1, 1931 | " " " | 4½% |
| 100,000 | 21-40 | June 15, 1931 | " " " | 4½% |
| 400,000 | 1-40 | May 1, 1931 | " " " | 4½% |
| 800,000 | 1-80 | May 1, 1931 | " " " | 4½% |
| 300,000 | 1-30 | May 1, 1931 | " " " | 4½% |
| 295,000 | 31-41 | May 1, 1931 | " " " | 4½% |



Consideration of bowling alley permit

A resolution authorizing the Director of Finance to execute a contract for skating equipment at the Recreation Park was submitted and on motion of Mr. Devendorf, seconded by Mr. Britt the matter was held over until next week and referred to the Finance Committee.

Application for bowling alley permit

In regard to the request of Messrs. J. W. Menary, A. C. Shuford, Jr. and Ben Dixon for a permit to operate a bowling alley at 799 Haywood Road, East Asheville, Mayor Green read several letters of endorsement, recommending that the license be granted.

A motion was made by Mr. Wamboldt, seconded by Mr. Brookshire, and unanimously carried that Mr. Menary and his associates be given authority to operate a bowling alley at 799 Haywood Road.

There being no further business, the meeting, on motion, adjourned.

Ottis Green
Mayor

E. G. Thompson
City Clerk.

Thursday, March 3, 1932: 8 P. M.

The City Council met in regular session; Mayor Green presiding. Present: Councilmen; Julian A. Woodcock, Wickes Wamboldt, Louis Lipinsky, Oscar Devendorf, H. G. Brookshire, W. C. Britt and Plott Boyd, Corporation Counsel, J. G. Merrimon and City Manager, H. W. Nigsby. The minutes of the previous meeting were read and approved.

Mr. A. M. Wells, Attorney, representing C. Tennent Johnson, presented claim for unpaid balance of judgments in civil action entitled, C. Tennent Johnson vs. City of Asheville, J. H. Allbo[illegible] and Betty M. Alexander, [illegible], Corporation Counsel.

TO THE HONORABLE MAYOR AND BOARD OF [illegible]:

The undersigned respectfully [illegible] following facts:

At the March [illegible] of the Superior Court of Buncombe County, North Carolina, in a civil action entitled, C. Tennent Johnson vs. City of Asheville, J. H. Allbo[illegible] and Betty M. Alexander, [illegible], judgment was entered against the defendants in the sum of [illegible].

At a later date, to wit, on [illegible] judgment, before Thomas L. Johnson, Judge [illegible], and at the same house, which in fact was [illegible], the liability [illegible] determined as follows:

1. Against Betty M. Alexander [illegible] amount of the judgment for $4,000. interest [illegible] $640.00, which has been [illegible] and interest and cost, of which sum by [illegible] $5,000. and interest [illegible] the full amount of the judgment [illegible] the credit of $640.00 [illegible] aforementioned.

2. By consent judgment [illegible] and Insurance Co., (which was voluntarily [illegible] suit) for the sum of $1,000.00, in no event [illegible].

3. [illegible] Asheville exceed [illegible] no liability [illegible] respective amounts.

4. The [illegible] judgment [illegible] Bonding and Insurance Co., for the sum of $1,000., [illegible] of all liability [illegible] the judgment, but the City of Asheville [illegible] any of its claims [illegible] against the Bonding and Insurance Co. in the event that J. H. Allbo[illegible] not pay all sums of the judgment.

You: petitioners respectfully call to your attention [illegible] on November 13, 1929, the sum of $1,000. [illegible] date on said judgment by the [illegible] balance due on said judgment of $1,000., with interest from November 13, 1929, and the costs.

That [illegible] Carolina Bonding and Insurance Co., has gone into [illegible] and is wholly insolvent.

That [illegible] J. H. Allport has become bankrupt and [illegible] from any further liability by reason of [illegible] judgment.

That your petitioner is informed and believes, and so avers that Percy W. Alexander was then and is now insolvent.

WHEREFORE, your petitioner respectfully requests that a [illegible] to [illegible] the payment of the balance of said judgment [illegible] by the plaintiff in said action.

Respectfully submitted,

C. Tennent Johnson
Petitioner.

[illegible] March [illegible], 1927.

Mrs. Margaret Orr Jarrett made a request for relief from assessments of [illegible] assessments on Louisiana Avenue, lot 8, sheet 11, ward 6, and from opening and widening assessments on lot 81, sheet 14, ward 3, Haywood Street on account of extension of Slingman Avenue.

No action taken.

T

Mr. James W. Tisdale, President of Asheville Fire & Casualty Insurance Agents Association, appeared before the Council and requested that the Council reconsider the resolution passed by the Council in regard to allowing employees to select physicians when injured.

It was moved by Mr. Woodcock, seconded by Mr. Wmboldt, voted on and carried that this matter be referred to the Corporation Counsel.

Dr. Joseph T. Sevier appeared before the Council in regard to the bill of the Asheville Mission Hospital for services rendered Henry Marshall, who was injured at the football stadium.

No action taken.

Mr. Mac Von Ehrin, Attorney, representing certain flower vendors who had paid [illegible] license tax, presented a petition protesting that part of the vendors had paid only $7.50 on account, including refund to those paying the $15.00.

It was moved by Mr. Woodcock, seconded by Mr. Devendorf, that the matter be [illegible] to the City Manager. Motion was voted on and carried.

Mr. Wmboldt, representing the Committee appointed by the Council in connection with the telephone tax rates of the Southern Bell Telephone & Telegraph Company, stated the Committee desired legal advice, and as Mr. Merrimon represented the Telephone Company, he asked the Council to authorize the Committee to secure legal advice from some other attorney.

On motion of Mr. Woodcock, seconded by Mr. Devendorf, and unanimously carried, the Committee was authorized to secure legal advice.

The request of Mr. Boyd that a ruling be given in connection with water lines and sewer lines up to where the City and where the property owner shall maintain was referred to the City Manager.

Mr. Rigsby presented report from Mr. Merrimon of his investigation of the application of M. H. Kelly for relief of benefit assessments against lot 3, sheet 1, ward 4 on North Lexington Avenue, in which he recommended that the request be denied.

A motion was made by Mr. Woodcock, seconded by Mr. Britt, voted on and carried that the recommendation of the City Manager be adopted.

There being no further business, the meeting, on motion, adjourned.

[signature]
Mayor

[signature]
City Clerk.



Thursday, March 10, 1927 [illegible]

The City Council met in regular session; Mayor [illegible] presiding. Present: Councilmen; Wilbur Devendorf, H. G. Brookshire, W. [illegible], Chas. [illegible], Otis Green, Julian A. Woodcock and Louis Lipinsky, Commissioner Connor, J. E. Merrimon, and City Manager R. W. Rigsby. The minutes of the [illegible] meeting [illegible].

Dr. C. V. Reynolds, representing the Legislative [illegible] of the Buncombe County Medical Society, appeared before the Council and stated the County and City of Asheville [illegible] of Buncombe County and City of Asheville [illegible] presented the report of the [illegible] to the Council [illegible] to enact uniform ordinances for both County and City.

It was moved by Mr. Wamboldt, that the Council [illegible].

Mr. Rigsby explained work had already started on [illegible] Medical Society with the city engineers and he would be ready [illegible] the Council.

Mr. Wamboldt withdrew his motion.

Mr. Claude L. Felmet, chairman of the County Board of Commissioners, presented petitions signed by residents of water and sewer district No. [illegible], asking that [illegible] made the same as that paid by consumers inside the City limits.

Mr. Ellis Jones, representing Hazel Water District No. [illegible], asked that the Council consider the reduction of water rates.

Mr. Rigsby stated he had received complaints on the subject and that a report was being prepared of all data bearing on the question and the Council would be furnished with report as soon as possible.

Mr. Wamboldt reported the Committee [illegible] of Mr. Britt, Mr. Boyd, [illegible] appointed by the Council in connection with the tax rate [illegible] Telephone Company, had received a written opinion from [illegible] A. S. Brown, Attorney, and he requested authority to have Mr. Brown present at the conference with the Telephone Company.

Dr. Brookshire moved, seconded by Mr. Lipinsky, that the Committee be continued until the work is completed and [illegible] present at the conference with the Telephone Company [illegible] $25.00 in addition to the $100.00 already [illegible].

[illegible] BOARD OF FINANCIAL CONTROL

On motion of Mr. Britt, seconded by Dr. Brookshire, the resolution [illegible] Board of Financial Control to authorize supplementary budget for [illegible] Indigent was unanimously adopted.

A RESOLUTION REQUESTING THE BOARD OF FINANCIAL CONTROL TO AUTHORIZE SUPPLEMENTARY BUDGET FOR EXPENDITURES FOR [illegible] INDIGENT.

WHEREAS, under the statutes of the State of North Carolina, it is [illegible] function and duty of the City to [illegible] citizens; and

WHEREAS, due to the unusual [illegible] economic conditions, the number of cases of [illegible] are in dire need of food and clothing, [illegible] increased for the fiscal year of 1926-27, [illegible] regular budget for [illegible] year has been exhausted [illegible] necessary that [illegible] for such additional [illegible] and twenty-two [illegible] seventeen cents ($22,[illegible]), [illegible] County making a supplementary budget of [illegible] seven dollars and [illegible] cents ($11,[illegible]), [illegible] associated charities for [illegible] beginning February 1, [illegible]

WHEREAS, in addition to this, [illegible] of the poor and indigent citizens of the City of Asheville, it is [illegible] them to have an appropriation of six thousand ($6,000.00) dollars for [illegible] firemen, emergency trucks and supplies, which appropriation is to be used strictly for this purpose; and

March 10, 1941

WHEREAS, there is available sufficient sums for uncollected delinquent taxes to provide cash for such appropriation; and

WHEREAS, the Financial Control Act of Buncombe County provides that the Board of Financial Control, created and existingby virtue of said Act, shall have the right and power to allow and approve supplementary budgets upon the application of the City Council of the City of Asheville, when, in the opinion of said Board of Financial Control such supplementary budget or budgets are necessary; and

WHEREAS, in the opinion of the City Council of the City of Asheville the adoption of the aforementioned budget, and the authorization of an appropriation in accordance with the same, is absolutely necessary for the interests of the citizens of the City of Asheville.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ASHEVILLE:

That a supplementary budget in the sum of thirteen thousand seven hundred and twenty-two dollars and seventeen cents ($13,722.17), for the fiscal year 1941-1942, for the purpose of furnishing relief to the poor and indigent of said City, be and the same is hereby adopted; and that the Board of Financial Control be and it is hereby respectfully requested to approve the adoption of said supplementary budget in the sum of thirteen thousand seven hundred and twenty-two dollars and seventeen cents ($13,722.17) for the purposes above stated.

I move the adoption of the foregoing resolution, to become effective immediately after the approval of the Board of Financial Control.

W. C. Britt
COUNCILMAN

Seconded by: H. G. Brookshire
COUNCILMAN

Read, approved and adopted, this the 10th day of March, 1941.

Ottis Green
MAYOR

E. G. Thompson
CITY CLERK

APPROVED AS TO FORM:
J. G. Merrimon
CORPORATION COUNSEL.

Mr. Rigsby reporting on his investigation of the petition presented by Mr. Ewell, attorney, representing the florist vendors who had paid $15.00 license tax for refund of $7.50, stated as only three vendors have paid the $15.00, he recommended refund be made.

On motion of Mr. Woodhouse, seconded by Mr. Wemboldt, this matter was referred to the Special Tax Committee.

Mr. Rigsby reported on request for a ruling relative to responsibility of the city in property owners in maintaining water and sewer connections within the city street, that the water connections are maintained up to the meter and that the sewer connection from the property line is maintained by the City. He recommended that the city assume the responsibility for maintenance of sewer connections insofar as it relates to construction but not insofar as it related to usage.

This matter was referred to the Corporation Counsel for a ruling as to sewer connections.

On motion of Mr. Boyd, seconded by Mr. Devendorf, a resolution authorizing the Director of Finance to execute a contract for skating equipment at the Recreation Park was unanimously adopted.

RESOLUTION AUTHORIZING THE DIRECTOR OF FINANCE TO EXECUTE A CONTRACT FOR SKATING EQUIPMENT AT THE RECREATION PARK.

WHEREAS, for the purpose of obtaining better equipment, and for the pleasure of the public in general, the City Council of the City of Asheville is desirous of operating a skating rink at the Recreation Park for the season of 1942.

March 10, 1942

THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ASHEVILLE:

1. That the Director of Finance of the City of Asheville be and he is hereby authorized and empowered to execute a contract with U. S. SKATE CORP., for the purpose of furnishing all skating equipment at the skating rink in the Recreation Park.

2. That said contract is to be executed on the condition that the City of Asheville shall receive from the gross receipts of the skating rink [illegible] percent of its total gross receipts.

I move the adoption of the foregoing resolution.

Offered By:
COUNCILMAN

Seconded By: Wilbur Lewis
COUNCILMAN

Read, approved, and adopted, this the 10th day of March, 1942.

Ottis Green
MAYOR

E. G. Thompson
CITY CLERK

APPROVED AS TO FORM:
J. G. Merrimon
CORPORATION COUNSEL.

Mr. Rigsby reported several requests for exemption of [illegible] referred to the Special Tax Committee.

There being no further business, the meeting, on motion, adjourned.

Mayor Ottis Green

City Clerk.

Thursday, [illegible]

The City Council met in regular session at the [illegible] Present and presiding: Mayor Ottis L. Woodhouse, Aldermen: Wilbur Lewis, Fred D. Cole, [illegible], Arthur Devendorf, H. G. Brookshire, W. C. Britt, [illegible]. Absent: Alderman [illegible]. The minutes of the previous meeting [illegible] were read and approved.

Attorney Joseph F. Ewell, [illegible] representing property owners abutting building line [illegible] erecting buildings between [illegible] and the building line, [illegible] assessments that would result from [illegible] to $25.00.

On motion of Mr. Woodhouse, seconded by Mr. Britt, [illegible] referred to the Special Tax Committee.

Mr. M. [illegible] et al. [illegible] property owners on the [illegible] Street to use as a [illegible] the establishment of [illegible] County, and [illegible] to the water system [illegible] City, [illegible],

Upon motion by Mr. Woodhouse, seconded by Mr. Devendorf, the matter was referred to the City Manager for report.

Mr. Rigsby read the following suggestion in regard to suspension of [illegible] operator:

In connection with the [illegible] Council during the [illegible] charge for building permits for [illegible] to be built within the City [illegible] under the present emergency. [illegible] suggestion would be for [illegible] permit will be required in order [illegible] may be given.

Mr. Wemboldt moved, seconded by Mr. Woodhouse, adoption of the suggestion of the City Manager be adopted.

...n's ... in ... to Police Pension and Relief Board, ... the Governing Body shall annually appropriate ... to the fund the sum of not less than $5,000 of the general fund of the City. ... that the sum ... provide this; it is a part of the requirements of its next year's budget.

... by ... Smith that the City Manager's report be ... in next year's budget for funds for the Policemen's ... Fund.

... tion has been called to Chapter 35 Private Laws 1937, ... entitled, "An Act to ... Police Pension and Relief Board for the City of Asheville, and to provide for pensioning disabled and superannuated Policemen".

This Act provides for a Board consisting of the Mayor-Commissioner of ..., the Commissioner of Finance, the Commissioner of Public Safety, and the Chief of the Police Department, to be known as the Policemen's Pension and Relief Board of the City of Asheville. This Board is to raise and manage funds to ... out the functions as indicated in the title of the Act.

The funds for the Police Pension and Relief Fund are to be ... of the following sources:

1. The Governing Board of the City of Asheville shall annually ... before the 1st day of April of each year, and pay over to the ... sum of not less than $5,000 of the general fund of the City.

2. All forfeitures and fines imposed by the governing boards of the ..., or other authorized officials by way of discipline to ... of the Department.

3. Gifts, grants, or bequests of money or property.

4. All ... and on account of extraordinary service by an member of the Police Department.

5. By assessments upon members of the Police Department.

The Act provides that for investment of money after $10,000 in ... accumulated in interest bearing bonds of the United States, ..., or the City of Asheville.

The ... Counsel shall be the legal advisor of said Board, ... Secretary-Treasurer shall be the Secretary-Treasurer of said Board.

This Board shall have power to make all rules and regulations, and ... full authority to operate this fund for the purpose for which it was ..., especially as to such general conditions laid down in the Act ... to the age of retirement and conditions under which retirement may be ...

In the ... of the City passed by the General Assembly, Session ..., ... substituting the Civil Service Board and the Board to carry out the provisions of this Act. It is interesting to note that while this Act was ... in ..., and four years have elapsed before this present government took ... of the affairs,--and some of these years were very prosperous years--the provisions of this Act were not recognized, and no appropriation whatsoever ... made. We are now confronted with the question of making an appropriation when no funds have been set up in our budget for such purpose. I do think, however, it ... possible for this Council to make some disposition of the matter, ... not ... the ... of the law. It is recognized fact that it ... possible ... to have ... pension fund and relief funds for departments, especially ... in ... to employees such as exist in the Police and ... Departments. The ... has a relief fund, which is a state organization ... has no pension fund, neither does the City contribute to this fund.

I think it would be well for the Council to recognize this Act as a ... of the requirements of it's next year's budget; but since the City has not been able to meet this year other legal requirements, and unless this could be ... in the City, I see no way for the City to contribute to this fund at this time, even though the desirability is recognized.

R. W. Rigsby
City Manager.



The Special Tax Committee ... the following ... on ... of tax on slot machines:

After consideration ... with special reference to Coin Control Musical ... of the opinion that the ... should be ...

Respectfully submitted,

W. C. B...
F... S...
Louis ...

Mr. Sevendorf moved ..., seconded by Mr. ..., ... report of the Special Tax ... be ...

Mr. Sigsby ... ordinances as information:

... have ... suggested ... additions to be made to the ... so that would result uniformation in regulation ... County and City.

This examination ... together with the provisions in Asheville ... City of Asheville and County of Buncombe, ... governing boards of the City of Ash... incident to the operation of the ... County Medical Society. Therefore, the ... Asheville, control ... regulation ... quity.

The outstanding ... to have regulations in addition ... put in one consolidated ... ordinance.

With five minor exceptions, ... to conform in connection ... with ... The Assistant Corporation Counsel ... as ..., which ... in ...

As a matter of information, ... into the city ... and if outside the ... tions and ... ment. There are only nine ... inspected by the ... Department.

The uniform ... sumer and prohibit ...

Mr. Rigsby ... some rulings to ... and several ... with the City ... Mr. ... Mr. ... Mr.

March 31, 1931

The plumbing ordinances in force at that time, to befound [illegible], unless it was changed from time to time, are [illegible] this is contained in Chap. 8, Pennell's Code, particularly [illegible] Chapter. The new Plumbing Act was adopted Nov. 18, 1931.

Pennell's Code (Item 510) provided for the cost of doing this [illegible] to be omitted under the new Ordinance.

[illegible] Charter, I think it is the duty of property owner [illegible] the lines up to the main, either water or sewer.

[illegible] that the new Plumbing Ordinance refers to Sec. 97, and I [illegible] that is the Ordinance appearing in Pennell's Code [illegible] to have any copy of it, if it is different from [illegible].

[illegible] suggestion made by you in your letter is as [illegible] position of this matter as can be obtained, and it is [illegible] provisionsto the limit.

Yours very truly
J. G. Merrimon
Corporation Counsel

[illegible] By M. Smith, seconded by M. Wamboldt, motion carried that the Corporation Counsel be [illegible] to draft an ordinance embodying the suggestions in the City Manager's report.

There being no further business, the meeting, on motion, adjourned.

Otto Green
Mayor

Ed S. Thompson
City Clerk

March 31, 1931

The City Council [illegible] Boyd, M. [illegible] Julian A. Woodcock, [illegible] on and [illegible] approved.

[illegible] Kimzey Van [illegible] payment of $250.00 [illegible]

[illegible] Wood [illegible]

[illegible], N.

TO THE HONO[illegible]

YOU [illegible] of the private Laws of North Carolina, [illegible] 40, Article 16, [illegible] of the Public Laws of 1931, that [illegible] weapons of [illegible] Asheville, North Carolina, on [illegible] ance Act, an ordinance [illegible] 1930, and a resolution [illegible] properly equipping the [illegible] building, and [illegible] the City of Asheville, and which [illegible] 190, 191, 192, [illegible] and assigned further [illegible] bonds above enumerated [illegible] and owing [illegible] of said bonds [illegible] of which are [illegible].

[illegible] Kimzey now [illegible] report of the City Manag[illegible]

[illegible] Kimzey appointing [illegible] Smith. The [illegible]:

[illegible] March 17th, by [illegible] of men [illegible] people for [illegible] time, and [illegible]

[illegible] Mayor, with [illegible] Alderman [illegible] Section 4, [illegible]

[illegible] Kimzey now [illegible] report of the City Manag[illegible]

Tuesday, March 31, 1931 - 4:00 P. M.

The City Council in [illegible] session: Mayor Green presiding. Present: [illegible], W. C. Britt, [illegible], Wilbur Townsend, Otto Green, Louis [illegible] B. [illegible] and Julian A. Woodcock, Corporation Counsel, [illegible] Manager, [illegible] Rigsby. The minutes of the previous meeting [illegible].

[illegible] petition signed by [illegible] citizens requesting the installation of [illegible] on the [illegible] Park, [illegible] Asheville, [illegible], and referred by M. Smith, unanimously [illegible] to the City [illegible].

[illegible] Alderman [illegible] ordinance for consideration of the Council [illegible] the bottling in [illegible] containers and the [illegible] making [illegible] of anything except milk.

[illegible] Alderman [illegible], seconded by M. Smith, voted on and [illegible], this [illegible] and the City Manager [illegible] recommendation.

[illegible] Alderman [illegible] Ordinance, being the [illegible] Council-man, W. C. Britt, seconded by Councilman, [illegible], on [illegible] ing.

On the [illegible] motion of M. Rigsby, it was moved by M. Smith, seconded by [illegible] Woodcock, [illegible] the Council authorize the signatures to [illegible] quit-[illegible] B. [illegible] of John's foot [illegible] of land belonging to the [illegible] in front [illegible]. Motion carried, Mayor Green voting. Mayor Green [illegible] assessment [illegible].

There being no [illegible] business, the meeting, on motion, adjourned.

Otto Green
Mayor

Ed S. Thompson
City Clerk.

Thursday, [illegible]

The City Council [illegible] Mayor Wm. [illegible] Smith, [illegible] Wm. [illegible] Roberson, [illegible] Wm. [illegible] Wood, [illegible] Wm. [illegible] Rigsby. The [illegible] of the [illegible]

[illegible]

[illegible] Mr. Marshall [illegible] Council [illegible]

[illegible] Mr. Marshall [illegible] "[illegible]", [illegible]

[illegible] upon Glenn [illegible] the [illegible] Council [illegible] the subject [illegible] if it is found [illegible]

[illegible] resolution authorizing the [illegible] Commissioner [illegible] modification of assessments in connection with [illegible] on motion of Mr. W. [illegible], seconded by Mr. Wilbur [illegible]

(Copy of resolution)

[illegible], owing to the [illegible] on the part of the [illegible] to which [illegible] Protective Association [illegible] improvements [illegible] on,

BE IT [illegible]

[illegible] to which [illegible] Division [illegible] discontinued [illegible] assessments [illegible] benefits, [illegible] the [illegible] levied on the [illegible] of [illegible], [illegible] cancelled;

[illegible],

That notice of the action [illegible] mentioned in said report, [illegible] hearing upon the [illegible]

BE IT [illegible],

That notice [illegible] be given to the [illegible] that the City [illegible] responsible to the City of Asheville, in the [illegible] assumes [illegible] will exempt [illegible] from [illegible] assessments [illegible] thereafter, if any.

The foregoing [illegible] was introduced by [illegible] and seconded by Mr. Wilbur [illegible]

APPROVED AS TO FORM:
J. G. Thompson
CORPORATION COUNSEL

[illegible]

The motion of [illegible] A. G. Barnhardt [illegible] meeting of the Board of Commissioners of Foreign and Domestic Commerce, to be held in [illegible] on April 21, 1942, [illegible] the option of the [illegible], in case of [illegible] seconded by Mr. Davenport, [illegible] unanimous [illegible]



[illegible] Wilbur [illegible], being the revenue [illegible] on motion of Mr. Smith, seconded by [illegible] on its first reading.

[illegible], seconded by Mr. Smith, the rules were suspended [illegible] that said final reading, voted on and carried, [illegible] for the passage of the ordinance.

[illegible]

AN ORDINANCE LEVYING CERTAIN TAXES, BEING THE REVENUE ORDINANCE

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ASHEVILLE AS FOLLOWS:

[illegible] Wilbur, levying the revenue Ordinance and entitled "[illegible], Levying, Imposing, and Defining the License and [illegible] of the City of Asheville for the Fiscal Year Beginning [illegible], 1942", be and the same is hereby [illegible]

[illegible] of this Ordinance, the heading "Electric", and [illegible] Ordinance, be and the same is hereby [illegible]:

[illegible] Bowling Alleys or Bowling Floors [illegible] License Tax of, [illegible] Annum ($[illegible])

[illegible] section of the foregoing Ordinance, this the 7th [illegible].

W. O. Burt
Councilman

[illegible] Wm. Roberson
Councilman

[illegible], this the first day of [illegible], 1942.

[illegible] and carried by the following vote and the Mayor declared [illegible] Ordinance of the City of Asheville [illegible]

Otis Glenn
Mayor

J. G. Thompson
City Clerk

[illegible]:
[illegible]
[illegible]

[illegible] request of the County Commissioners [illegible] Mr. [illegible], for a resolution [illegible] The [illegible] presented for its and objections thereto [illegible] the City [illegible] will equal the revenue of the City [illegible] of the City, therefore, the question [illegible] should lift the burden from the cuto[illegible] in the form of increased [illegible]

[illegible], the meeting, on motion, adjourned.

City Clerk

Wm. Rigsby
City Clerk.

...unity Clubs of West Asheville,
...overant of Chocolden on Gardens by the use of
...tenth unemployment relief group.

...ctivity Clubs ...raising funds for the
...ens in that F. C. D. Bearden will give his service...

...appointed to investigate certain complaints
...Telephone Company, was presented.

)

...OF THE CITY OF ASHEVILLE:

...appointed to investigate certain complaints
...the South rn Bell Telephone & Tele...ny,
...follow:

...Full investigation establishes the fact that complaints to
...on Company in taking over certain property by the Southern
...any, and result therefrom in the interrup-

...the Telephone Company, no right
...subscribers any additional amount other
...tion, for the rental Telephone.

...the Telephone Company should pay to
...of Canada tax, payments of the pers
...part of the annual tax and
...original franchise.

...tion, it was called to our attention that
...Telephone Company in the subscribers an additional toll for
...within the six (6) miles of the
...City of Asheville. We ...toll
...ont in the ordinance should be

...ordinance not be ...telephone
...shall not be ...may be ...to the
...shall not be ...with the
...ordinance.

...

W...
...
Platt Boyd

...by ... Brookhart, ...n
...

...in public. There was no ...to this

...Brookhart, that the Public ...rize
...initiating this ...tion,
...of the telephone ...is hold.

...nt voting "Aye".

...ion ...of $1,750,000 Refunding Note ... of the
..., ... Council ..., 1955 was introduced by Councilman Finger S...
...ordinance was read as follows:

...BY THE COUNCIL OF THE CITY OF ASHEVILLE:

...for the payment of the principal of the
..., ... of the City of Asheville which matures
..., ... to September 1, 1955.

...ordinance ...ing on said notes, ...h 1,
1955, ... of four and one-quarter per centum (4¼) per
annum, ... payable on September 1, 1955.



...

...

...

FRONT

Thursday, April 21, 1932- 4:30 P. M.

The City Council met in regular session; Mayor Green presiding. Present: Councilmen, Plott Boyd, H. G. Brookshire, Wilbur Devendorf, Ottis Green, Louis Lipinsky, Frank S. Smith, Wickes Wamboldt and Julian A. Woodcock, Corporation Counsel J. G. Merrimon and City Manager R. W. Rigsby. The minutes of the previous meeting were read and approved.

Mr. Edwin A. Gaskill of the Community Cooperative Association, appeared before the Council in behalf of the proposed North Carolina parkway from Asheville to the Great Smoky Mountain National Park, and requested that the Council approve the project and express themselves that the project has merits.

Mr. Gaskill was assured that the members of the Council heartily approve the idea of a highway, but they were of the opinion that the project should be handled by the whole of Western North Carolina, and that it was not a matter to be handled by the City Council.

Mr. James A. Ware, representing the Optimist Club, requested that the Council appoint a committee to work with the Committee of the Optimist Club, to study the feasibility of opening a trail through the watershed on Craggy Mountain in order that the public may have advantage of the floral display.

On motion of Mr. Lipinsky, seconded by Mr. Woodcock, the matter was unanimously referred to the City Manager.

On motion of Mr. Boyd, seconded by Mr. Devendorf, the City Manager was authorized to include the names of A. J. Creasman and H. C. Noland, desk sergeants, in the schedule of bonds required of the various officials of the City, the bonds to be in the amount of $1,000.00.

Mr. Rigsby read a letter from the Assistant Corporation Counsel recommending that the balance of theunpaid consent judgment in the civil action of C. Tennant Johnson vs. City of Asheville, J. H. Allport and Perry M. Alexander, Inc. in the amount of $264.70 be paid.

Moved by Mr. Woodcock, seconded by Mr. Smith, voted on and carried that the the amount of $264.70 unpaid judgment be paid.

Mr. Gerald Cowan, Director of Public Works and Safety reported that the lot on Spruce Street for use as a open-air market will be completed within four or five days.

Mr. Rigsby reported that he would report on the complaint of Dr. Campbell of disorderly conduct in colored section in rear of Pearson Drive and on the sign ordinance at the next meeting.

In reply to Mr. Wamboldt's question as to whether or not the Telephone Company had responded to request for hearing, Mr. Green stated he had received a communication from the District Manager that the matter had been referred to the Atlanta office and as soon as he received further information he would notify the Council.

There being no further business, the meeting, on motion, adjourned.

Otis Green
Mayor

E. G. Thompson
City Clerk.



Thursday, April 28, 1932 - 4:30 P. M.

The City Council met in regular session; Mayor Green presiding. Present: Councilmen; Frank S. Smith, Wickes Wamboldt, Wilbur Devendorf, Plott Boyd, W. C. Reid, H. G. Brookshire, Ottis Green and Louis Lipinsky, Corporation Counsel, J. G. Merrimon and City Manager, R. W. Rigsby. The minutes of the previous meeting were read and approved.

In observation of Citizenship Day in connection with the City's celebration of National Boys Week, Billy Green, acting Mayor introduced Lewis Puckett, acting City Manager and other boys acting in capacity of various officials of the City of Asheville. Mayor Green welcomed the boys at the Council Meeting.

On motion of Mr. Lipinsky, seconded by Mr. Smith, A Resolution requesting the Board of Financial Control to authorize supplementary budget for expenditures for poor and indigent was unanimously adopted.

A RESOLUTION REQUESTING THE BOARD OF FINANCIAL CONTROL TO AUTHORIZE SUPPLEMENTARY BUDGET FOR EXPENDITURES FOR POOR AND INDIGENT.

WHEREAS, under the statutes of the State of North Carolina, it is the function and duty of a city to care and provide for its poor and indigent citizens; and

WHEREAS, due to the unusual and extraordinary local and general economic conditions, the number of cases of poor and indigent citizens who are in dire need of food and clothing, and other relief, has been greatly increased for the fiscal year of 1931-32, and the appropriation made in the regular budget for said year has been exhausted and it has become absolutely necessary that a further appropriation be made, in order to take care of and for such additional cases, in at least the sum of five thousand and twenty ($5,020.00) dollars, contingent upon the county making a supplementary budget of six thousand four hundred and fifty-seven dollars and four cents ($6,457.04), to be appropriated to the Associated Charities for a period beginning February 1, 1932; and

WHEREAS, in addition to this, and in order that the City use the labor of the poor and indigent citizens of the City of Asheville, it is necessary for them to have an appropriation of two thousand five hundred ($2,500.00) dollars for emergency foremen, emergency trucks and supplies, which appropriation is to be used strictly for this purpose; and

WHEREAS, there is available sufficient sums for uncollected delinquent taxes to provide cash for such appropriation; and

WHEREAS, the Financial Control Act of Buncombe County provides that the Board of Financial Control, created and existing by virtue of said Act, shall have the right and power to allow and approve supplementary budgets upon the application of the City Council of the City of Asheville, when, in the opinion of said Board of Financial Control, such supplementary budget or budgets are necessary; and

WHEREAS, in the opinion of the City Council of the City of Asheville the adoption of the aforementioned budget, and the authorization of an appropriation in accordance with the same, is absolutely necessary for the interests of the citizens of the City of Asheville.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ASHEVILLE:

That a supplementary budget in the sum of seven thousand five hundred and twenty ($7,520.00) dollars, for the fiscal year 1931-1932, for the purpose of furnishing relief to the poor and indigent of said city, be and the same is hereby adopted; and that the Board of Financial Control be and it is hereby respectfully requested to approve the adoption of a supplementary budget in the sum of Seven thousand five hundred and twenty ($7,520.00) dollars for the purposes above stated.

I move the adoption of the foregoing resolution, to become effective immediately after the approval of the Board of Financial Control.

Louis Lipinsky
COUNCILMAN

Seconded by: Frank S. Smith
COUNCILMAN

Read, approved, and adopted, this the 28th day of April, 1932.

Ottis Green
MAYOR

E. G. Thompson
CITY CLERK.

APPROVED AS TO FORM:
J. G. Merrimon
CORPORATION COUNSEL.

Mr. Rigsby presented a deed conveying certain property sold for 1926 taxes for which same is due to the City of Asheville through error, and a communication from the Corporation Counsel recommending that a quit claim deed be executed by the City of Asheville to W. B. Britton, et al, for lot 72, sheet 17, ward 5.

A motion was made by Mr. Devendorf, seconded by Mr. Britt, voted on and carried that the proper officials execute the quit claim deed as recommended by the City Manager.

A notice of claim was filed by Fortune & Fortune, representing Annie J. Cadwell, for damages in the amount of $500.00 caused by overflow of surface water from storm sewer onto property at 327 East College Street.

Mr. Smith made a motion, which was seconded by Mr. Boyds, voted on and carried, that this matter be referred to the City Manager and the Corporation Counsel.

State of North Carolina
Buncombe County. April 28th, 1932.

To the Honorable Mayor and
Commissioners, City of
Asheville, N. C.

Gentlemen:

Pursuant to Section 243 and 244 of Pennells Code of the City of Asheville, N. C., I herewith file claim against theCity of Asheville, N. C. for the sum of $500.00. damages to my property and land located at No. 323 East College Street near the western entrance to the tunnel under Beaucatcher Mountain.

This damage is being caused by a defective or inadequate storm sewer which is insufficient to carry the surface water which has been diverted into it from the new street over the mouth of the tunnel, thereby causing the water, whenever it rains, to overflow and run over my front and back yard and garden and against my house, thereby damaging the same every time it rains.

This storm sewer is now entirely stopped up and all the surface water is being diverted over and upon my property which will continue to damage my property unless the same is repaired.

This April 28th, 1932.

Yours very truly,

Annie J. Cadlwell
By Fortune & Fortune
Attorneys for Claimant.

Mr. Rigsby in reporting on the complaint of Rev. R. F. Campbell, and certain colored residents in the neighborhood of Pearson Drive with reference to condition of disorderly conduct, and also on the complaint of Mr. Eugene Gudger near her property on Carter Street, read a detailed report of police activities in relative to violations of law in connection with sale and use of intoxicants. This report covered a period of three months showing the disposition of 453 cases, also the assurance that the Police Department is using every effort to apprehand those who are violating the law and will respond to complaints to the limit of its resources.

There being no further business, the meeting, on motion, adjourned.

Otto Green
Mayor

E. G. Thompson
City Clerk.

April 28, 1932

The City Coun[illegible] in [illegible] Meeting [illegible]
Councilmen: W. C. Britt, H. [illegible]
Frank S. Smith, Wickes [illegible] Julian A. [illegible]
Mendelson and City Manager R. [illegible]. The minutes [illegible]
read and approved.

Notice of claim filed by Norwood Park Property, Inc., [illegible] amount of $250.00 damages [illegible] caused by [illegible] submitted, and on motion of Mr. [illegible], seconded by Mr. [illegible], City Manager and the Corporation Counsel.

STATE OF NORTH [illegible]
COUNTY OF BUNCOMBE

TO THE MAYOR AND [illegible] OF THE CITY OF
ASHEVILLE, NORTH [illegible]:

Take notice that on [illegible] and Merrimon Avenue, [illegible] Asheville, being [illegible] while being operated [illegible] the law, collided with [illegible] Norwood Park Property, Inc.

That said Motor [illegible] belonging to the [illegible] by the Corporation.

That it will cost the sum of Two Hundred [illegible] the Motor Cycle [illegible] mess of the Motor Cycle.

The undersigned [illegible] ($250.00) as damages [illegible]

Respectfully submitted, this the [illegible] day of April, [illegible].

Norwood Park Property, Inc.
By T. B. Fortune, [illegible].

Mr. Marcus Stern, Jr., in behalf of [illegible] permission to operate [illegible] that the tax be either [illegible] Hundred.

It was moved by [illegible] and the matter be handled by the City Manager, [illegible] voted "aye", Councilmen [illegible] and Britt, the motion [illegible].

The request of [illegible] the May Festival for [illegible] tax were on motion of [illegible].

Mr. Rigsby submitted [illegible] Police Department [illegible] Associated Gas Rates, [illegible] showing the City has [illegible] $13,250.00, the contribution [illegible] being $12,000.34.

On motion of Mr. W. [illegible] entitled an Ordinance [illegible] was unanimously passed [illegible].

On motion of Mr. F. [illegible] Smith, [illegible] W.

...in ...ing, advertisements, sign ta...king, distribution ... ...ously passed on its first reading.

... business, the meeting, on motion, ... journ...

City Clerk.

Thu...day, May 1..., 19..- 4:30 P. M.

... ... Session: Mayor Green ...siding. Present: ..., Frank S. Smith, Louis Lipinsky, Ottis B. Green, ..., E. W. Ball and Plott Boyd, ... ...n Counsel, ..., W. W. Rigsby.

... ... M...rson, ...senting Robert and Rebe... Formate..., filed ... ... ...ge in the amount of $1,000.00 caused by overflow of sewer.

... ... ...Jevenio f, ...conded by Mr. Woodcock, this ...laim was ... to the ...ounsel and the City Manager.

... ... ... ) SESSION OF THE COUNCILMEN OF THE CITY
... ... ) OF ASHEVILLE.
... ... )
... ... ... )
... ... ... )
... 

[illegible] by Mayor Green that the Council set next Thursday's meeting for [illegible] the Civil Service Board for the Fire Department.

[illegible] motion, seconded by M. Boyd that the request be granted.

[illegible] by Mr. Woodfin that this meeting recess until [illegible] on the ordinance on bankruptcy.

City Clerk.

Monday, May 18, 1953- 10 o' clock, A. M.

[illegible] Mayor Green presiding, as there was not a quorum present, Mayor Green adjourned the meeting.

City Clerk.

Thursday, May 19, 1953- 4:0 P. M.

The City Council met in regular session; Mayor Green presiding. Present: Councilmen: W. C. Broome, A. C. Britt, Frank Smith, Wilkes Wambolt, Julian R. Webb, Ollis B. Green, Louis Brumsey and Milton DeVendorf, Corporation Counsel, J. J. McGlohon and City Manager, A. W. Rigsby. The minutes of the previous meeting were read and approved.

On the request of A. Rigsby, the meeting on the Civil Service [illegible] until next meeting.

A motion was made by M. Smith, seconded by M. Britt, that Ordinance #169 [illegible] be passed on its second reading.

The question was put to the vote against the passage of the ordinance, [illegible] being no second to the motion.

The motion to pass the ordinance on its second reading was voted on, voting "aye" Councilmen Devendorf, Brumsey, Green, Woodfin, Smith, Britt, and Broome; [illegible] Councilmen Webb, Wambolt, the motion carried.

Councilman Britt introduced the following ordinance reading all ordinances regulating dancing in public halls in the City of Asheville, and on motion of M. Woodfin, seconded by M. Wambolt, [illegible] on its first reading and adopted.

ORDINANCE #1967

AN ORDINANCE REPEALING ALL ORDINANCES REGULATING DANCES IN DANCE HALLS IN THE CITY OF ASHEVILLE.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ASHEVILLE DO ORDAIN:

That all ordinances heretofore adopted by the City of Asheville, regulating dances in dance halls in the City of Asheville, are hereby repealed.



[illegible] of May, A. D., 1953.

[illegible]

[illegible]

Read, [illegible] to take effect on the [illegible] day of June, 1953.

[illegible]

[illegible]

ATTACHED AS PART OF:
J. J. McGlohon
CORPORATION COUNSEL

Ordinance #1966- entitled An Ordinance [illegible] ordinances of the City of Asheville, [illegible] busses upon the streets of the City of Asheville [illegible] Brookshire, seconded by M. Devendorf, [illegible] the passage of the ordinance, Councilmen Devendorf, [illegible] Woodfin and Green, voting "no" Councilmen Wambolt.

[illegible]

The request of the [illegible] for [illegible] was granted.

There being no further business, the meeting [illegible].

Mayor

City Clerk.

Thursday, May 12, 1932 4:30 P. M.

[illegible] session: Mayor Green presiding. The minutes [illegible] approved. Present: Councilmen, [illegible] Boyd, [illegible], W. Bob Stevens, Otis L. Green, Louis Lipinsky, Frank D. Smith, [illegible] Julian C. Wood [illegible], Corporation Counsel, J. C. McKinney [illegible] by.

[illegible] petition of Women Citizens of Buncombe County [illegible] approving [illegible] but [illegible] that such ordinance be not [illegible] this [illegible].

[illegible] the petition of Women Citizens of Buncombe County does heartily approve [illegible] for the City of Asheville, but feels that the [illegible] ordinance as has passed its second reading [illegible] until such time as financial hardship on the citizens of [illegible]. Therefore be it respectfully urges that such ordinance be [illegible].

[illegible] that the petition be presented the City Council [illegible].

Attorney Don M. Young, chairman of a committee from the Westsheville Men's Club, [illegible] that [illegible] reference on the passage of the ordinance regulating [illegible] until some [illegible] can be made in regard to the ordinance. Attorney [illegible] representing the bus lines and Mr. Edwin Greskill, chairman of the Community Relations Committee, discussed the bus ordinance.

[illegible] by Mr. Wood, that the request of Mr. Young [illegible] the ordinance be laid over for two weeks be granted. Motion carried unanimously.

[illegible] report of the Committee of the Whole to which was referred the pending controversy between the City of Asheville and the Southern Bell Telephone and Telegraph Company, after hearing testimony from a representative of the Telephone Company was read.

May 12, 1932.

To the Honorable Mayor and Council
of the City of Asheville, N. C.

Your Committee of the Whole to which was referred the pending controversy between the City of Asheville and the Southern Bell Telephone and Telegraph Company, after hearing testimony from a representative of the Telephone Company, begs the following report:

We find that some time ago the Telephone Company filed with the Corporation Commission of the State of North Carolina a schedule of rates for telephone service furnished throughout the state in which schedule was included a charge of $4.50 per month for what is called the French or hand telephone; that this schedule of rates was approved by the Corporation Commission, and that by virtue of that approval that the Telephone Company is now collecting $4.50 per month for the use of the hand telephone in Asheville.

[illegible] provision of Section 14 of the franchise granted by the City of Asheville to the Asheville Telephone and Telegraph Company, which has been assumed by the Southern Bell Telephone and Telegraph Company, we are not, so [illegible] that this provision has been called to the attention of the Corporation Commission upon the schedule of rates filed by the Telephone Company. We are reliably informed that the records in the office of the Corporation Commission show that the Chesapeake and Potomac Telephone Company, a subsidiary of the Southern Bell, both companies being [illegible] the Southern Telephone and Telegraph Company, charges for this telephone in the city of Norfolk, Virginia, twenty-five cents a month until the sum of $4.50 has been paid, that sum representing the difference between the rate for the hand telephone and the ordinary desk instrument in general use. Your Committee is of the opinion that this is an unjust discrimination [illegible] of telephone users in Virginia cities and against subscribers in Asheville. Your Committee is advised that, under the provisions of Section 14 of the franchise, the Telephone Company is not authorized to make such rates to subscribers in the City of Asheville, and recommends that a petition on behalf of the citizens of Asheville be filed in the name of the City with the Corporation Commission requesting the Commission to withdraw its approval of said rate insofar as it applies to subscribers in the City of Asheville.



[illegible] Ripley [illegible] behalf of Buncombe County [illegible] Executors of the Estate of [illegible] Company, [illegible] to the construction [illegible] Hamilton Branches, in [illegible] and the [illegible] petition will [illegible].

[illegible] for the Corporation Counsel [illegible].

[illegible] voting "aye" [illegible] voting "nay" [illegible] Commissioner Woodfin did not vote.

[illegible] Tyler Brothers, filed notice of lis pendens [illegible] Commissioner Bevendorf, seconded by Mr. Blomberg, [illegible] opposition counsel.

[illegible]

[illegible] City of Asheville:

[illegible] Tyler Brothers [illegible] Thousand ($1,000.00) Dollars.

[illegible] about [illegible] and [illegible] in the City of Asheville, known [illegible] Vance Hotel [illegible] and paid for [illegible] City of Asheville furnishes the water supply.

[illegible] May 1st, 1921 the City [illegible] without any [illegible] upon the premises of the plaintiff.

[illegible] neighbors of the plaintiff made an [illegible] found located in the plaintiff's yard. [illegible] that the same has been removed; [illegible] by reason of the failure of the water [illegible] it was impossible to [illegible] by reason of removing meter without notice failure to [illegible] in the sum of three thousand ($3,000.00) [illegible].

[illegible] of the matter is not settled [illegible] plaintiff fail the [illegible] file such proceedings [illegible] as hereinbefore set forth.

[illegible]

[illegible] citizens of West Asheville, appeared before the [illegible] relative to [illegible] and Roselands [illegible].

[illegible] by Mr. Bevendorf, this matter was referred [illegible] and report at the next meeting.

There being no further business, the meeting adjourned.

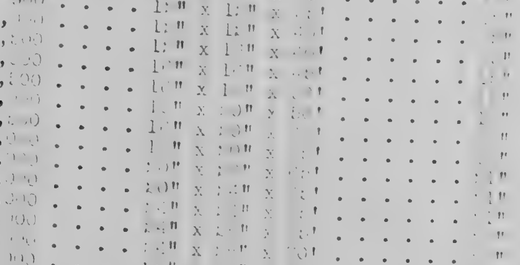
Attest:-

E. G. Thompson,
City Clerk.

Section 10.

(a)

(b)




Section 11.

(1)

(2)

(3)

Section 9.

(20)

(c) [illegible] to use oil or powdered coal as fuel for horizontal [illegible] light of the boiler well above the ash-pit wall or not [illegible] (12) inches; in most cases more is desirable.

(d) All [illegible] furnaces for stationary boilers carrying more than fifty [illegible] shall be provided with steam-air jets or other approved [illegible] air over the grates.

(e) [illegible] there shall be one such jet for every [illegible] of, and the minimum number of steam-air jets shall be [illegible].

(f) [illegible] fifteen (15) pounds at the measure shall [illegible] air above the fuel bed, [illegible] square foot of grate surface.

(g) [illegible] boiler settings, in addition to steam-air jets and [illegible], shall have such air-mixing arches, piers, or other devices as [illegible] Bureau of Smoke Regulation.

(h) [illegible] of the vertical or locomotive type shall use "smokeless" fuel, [illegible] shall be equipped with approved smoke-prevention devices which [illegible] under normal running conditions.

(i) [illegible] hand-firing boilers carrying eight hundred (800) square feet [illegible] twelve hundred (1200) square feet or more of water radiation, [illegible] "smokeless" type and capable of reducing the amount of smoke [illegible] limit set forth in the smoke ordinance.

(j) Low-pressure heating boilers carrying eight hundred (800) square feet [illegible], or twelve hundred (1200) square feet of water radiation, or [illegible] "smokeless" type, shall burn only "smokeless" fuel.

(k) [illegible] shall be provided with openings to admit [illegible] opening of not less than one [illegible] surface.

(l) [illegible] of any boiler using coal as fuel shall be [illegible] one-eighth (1/8) of the heating surface where stokers are used, and [illegible] (1/4) of the heating surface in hand-fired furnaces.

(m) [illegible] in units not exceeding one thousand (1000) [illegible] square feet.

(n) [illegible] the center of the flue or stack is greater than one hundred and [illegible], measured in any plane on or below the horizontal at the point from [illegible].

(o) The [illegible] between the bridge wall and the damper on any water-tube boiler shall not be less than one fifth (1/5) of the grate area, and for horizontal return tubular [illegible] or continental type boilers, shall be not less than one-fifth (1/5) percent in excess of the combined inside area of tubes.

(p) All [illegible] heating plants over twenty-five (25) horsepower capacity [illegible] sufficient height to give a minimum of twenty-five (.25) inches draft over the fire in the furnace under normal working conditions.

(q) The height of any stack shall be at least thirty (30) times its inside diameter unless the height does not exceed sixty-five (65) feet. In no case shall a stack less than thirty (30) feet in height.

(r) No stack to which any furnace or boiler is connected shall have a cross-sectional area of less than seventy-nine (79) square inches.

(s) No stack to which a "smokeless" boiler two thousand (2,000) square feet or more of steam capacity steam radiation, or three thousand (3,000) square feet or more capacity water radiation, is attached, shall be less than fifty (50) feet high above the center of the breeching connection to the stack.

(t) The top of the stack shall extend above or be far enough away from any nearby built up to avoid down drafts. The stack in no case shall be less than two feet above the highest point of a flat roof of five (5) feet above the highest point of a flat roof.

(u) The minimum setting heights of boiler shall be those recommended by the Steam Manufacturer's Association and the Boiler Manufacturer's Association in 1929.

(v) All boiler and furnace rooms shall be provided with an air opening to the outside. This air inlet shall have an area equal to the cross sectional area of the stack.

(w) Each piece of heating apparatus shall be connected to a separate flue.



Section 13. [illegible].

All [illegible], or conveyances, [illegible] coke, or other fuels, [illegible] firm, or corporation, licensed [illegible], the license granted by the City of Asheville.

Section 14. [illegible].

It shall unlawful for any [illegible], deliver, or attempt [illegible], providing the driver [illegible] delivery ticket [illegible] delivery is to be [illegible] information:

(a) [illegible] delivery.
(b) [illegible] fuel.
(c) [illegible] fuel [illegible].
(d) [illegible] mixture.
(e) [illegible] certain.
(f) [illegible] consecutive [illegible].
(g) [illegible] of the truck, [illegible] the delivery point delivered.
(h) [illegible] size, as [illegible].

Section 14. [illegible].

Due to [illegible] of coal smoke [illegible] Asheville, this Council [illegible] opinion [illegible] to the health, happiness [illegible] well being of the citizens [illegible] purpose of this ordinance [illegible] prevent [illegible] pollution of the atmosphere [illegible] improper or inefficient [illegible] limits, and to prohibit [illegible] use of high volatile coal [illegible] combustion of such fuel cannot be obtained under [illegible] violation of any section [illegible] maintained [illegible].

Section 15. [illegible].

Any person, firm, or corporation, [illegible] section of this ordinance, shall be subject [illegible] for each and every such violation.

Section 16. All ordinances or parts of ordinances [illegible] smoke or smoke abatement, [illegible] hereby repealed.

Section 17. Should any section, or provision, or portion, sentence, [illegible], of this ordinance be declared [illegible] unconstitutional or invalid [illegible], such decision shall not affect the validity of the remaining portions of this ordinance.

I [illegible] A.D., 1942.

[illegible]

Attest: Wilbur [illegible]

Read, [illegible] on the 26th day of [illegible], 1942.

[illegible]

[illegible]

APPROVED AS TO FORM:
J. J. Herrimon
CORPORATION COUNSEL.

There being no further business, the meeting [illegible].

Otto Green
Mayor

[illegible]
City Clerk.

Tuesday, June 3, 19 - 4:0 P. M.

C . . . . . ; Mayor Green presiding. Present:
. . . . . , Vilas Leventorf, Otis Green,
. . . . . Julian Woodcock, Corporation
. . . . . , R. L. Rigsby. The minutes of the previous

. . . . . "ilson of misconduct by drunken . . . . in the
. . . . . in the election officials was on motion of Mr.
. . . . . for investigation and report.

. . . . . of E. L. Perrson and others asking
. . . . . for Roseland Gardens on motion was set
. . . . . in their petition. . . . . the following
. . . . . officials in charge of said . . . . .

. . . . . from . . . . . F . . . . . in-
. . . . . of . . . . . be given . . . . . ordinance
. . . . . of the Revised . . . . .

. . . . . , . . . . . Woodcock, seconded by Mr. Smith that Ordinance to alter, amend
. . . . . Council of Asheville, touching the regulation and
. . . . . be passed on its second reading.

. . . . . , a substitute motion was made by Mr. Bond, seconded by Mr. Smith and unanimously carried that action on the ordinance be deferred until some later meeting.

. . . . . , the meeting, on motion, adjourned.

. . . . . a petition from citizens on Lexington Avenue requesting that . . . . . fruits, vegetables and other produce be prohibited. Mr. Pigg . . . . . regarding the parking on this street could be enforced.

. . . . . Woodcock, seconded by Mr. Smith that Ordinance to alter, amend . . . . . Council of Asheville, touching the regulation and . . . . . be passed on its second reading.

. . . . . , a substitute motion was made by Mr. Bond, seconded by Mr. Smith and unanimously carried that action on the ordinance be deferred until some later meeting.

. . . . . , the meeting, on motion, adjourned.

F. McElveen

City Clerk.



Thursday, June 4, 19 - 4:0 . . .

The City Council met in regular session; Mayor Green presiding. Present:
Councilmen: R. C. Britt, Vilas Leventorf, Otis Green, . . . . . ,
Albert Trumbol and Julian Woodcock, Corporation . . . . . ,
R. L. Rigsby. The minutes of the . . . . . .

Mr. A. S. Bern . . . . . petition . . . . . Co.
against the enactment of . . . . . ordinance . . . . . .
on . . . . . .

Mayor Green . . . . . .
Counter the petitions . . . . . .
ing consideration . . . . . .

A motion . . . . . Councilman . . . . . ,
for . . . . . adjourn was . . . . . ,
a vote . . . Councilman Wassol . . . . . ,
voting "Nay", the motion . . . . . Councilmen . . . . . ,

Mr. Don. C. Young, . . . . . ,
. . . Asheville Men's Club . . . . . Club,
an . . . permission . . . . . ,
. . . concerts and charge for . . . concerts, . . . . . ,
refreshments in the park, . . . . . .

On motion of Mr. . . . . ,
. . . to the Corporation C . . . . . .

. . . . . .

Mr. William L. . . . . , President . . . . . .
. . . the Electrical Inspector . . . . . .
. . . . . includes the . . . . . .

. . . . . .

Mr. Robert S. B . . . . . .
. . . of the trustees . . . . . .
. . . . . .

. . . . . .

. . . . . .

The request of . . . . . .
. . . addresses of the Confed . . . . . .
. . . with, a motion by . . . . . .
. . . the legality of appropriati . . . . . ,
. . . reference to the City Attor . . . . . .
. . . available. Motion . . . . . .

. . . . . .

On motion of Mr. . . . . ,
. . . Ordinance regulating . . . . . ,
. . . was unanimously passed . . . . . .

. . . . . ORDINANCE #169

. . . . . AN ORDINANCE . . . . . ,
. . . . . ,

. . . . . .

. . . . . .

. . . . . .

All roof signs must be so constructed as to withstand a wind pressure of not

[illegible] ordinance shall [illegible] the person owning or using the same, [illegible] to conform to and comply with the require[illegible] Provided, however, that no [illegible] with respect to such change, alteration or remov[illegible] provided, further, that the owner or persons using [illegible] from the date of such notice to make such change[illegible] Building Inspector.

[illegible] sign shall be installed or maintained in violation [illegible] ordinance, the Building Inspector shall [illegible] of such sign so as to comply with this [illegible] for, or to remove the sign. [illegible] Section 5, the Building Inspector [illegible] of.

[illegible] sign, roof sign, wall sign, or [illegible] or otherwise unsafe, it shall [illegible] of the person maintaining the same [illegible] Building Inspector, immediately in case of immediate [illegible] cause the same in a manner to be approved [illegible] with the provisions of this ordinance.

[illegible] section, paragraph, sentence, clause, or phrase [illegible] unconstitutional or invalid for any reason, the re[illegible] shall not affect the validity thereof.

[illegible] person, firm, or corporation, violating any pro[illegible] shall upon conviction be subject to a penalty of fifty [illegible] dollars.

[illegible] heretofore passed by the Board of Trustees which [illegible] sign, sign marker, distribution of samples, etc., [illegible] ordinance also, being the ordinance

[illegible] following ordinance, [illegible]

J. A. Woodcock
COUNCILMAN

[illegible] Kimball
COUNCILMAN

[illegible] this 16th day of June, A. D., 1942, [illegible], A. D., 1942

Ottie Green
MAYOR

E. G. Thompson
City CLERK.

[illegible] City Council [illegible] to widen [illegible] unanimously [illegible] meeting, on motion, adjourned.

[illegible]
Mayor

E. G. Thomson
City Clerk.

RESOLUTION.

Jun , 1902.

Councilman

Councilman

, this 3rd day of Jun , 1902.

Councilman

CY L. K

The committee appointed to meet with committee of coal dealers to present smoke ordinance reported as follows:

Your committee has met with several groups of interested persons on possible changes in the present smoke ordinance. After consideration, we are ready to introduce new ordinance which will repeal ordinance 166.

We feel that the ordinance as changed will eliminate many of the smoke nuisances and will substantially reduce the volume of smoke now being created in Asheville. The committee had been promised the cooperation of several large industries, who have been a considerable portion of our smoke problem. The coal dealers of the city have changed their help in educating the consumers to use coal of lower volatile content, and to do all in their power to assist in the elimination of smoke from our city.

We are of the opinion that liberalizing the ordinance will do much to secure the co-

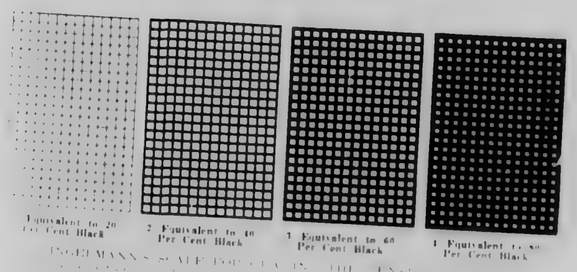
operation of [illegible] ... demand a full share of team-work are essential if we are to lift the veil of smoke from the community.

[illegible]

, with the exception of Mr. Devendorf, who did not vote.

[illegible]




Equivalent to 20 Per Cent Black
2 Equivalent to 40 Per Cent Black
3 Equivalent to 60 Per Cent Black
4 Equivalent to 80 Per Cent Black

of Asheville,

June 30, 1932.

On motion of Councilman Frank S. Smith, seconded by Councilman Julian A. Woodcock, the following motion was unanimously carried;

In compliance with Section 9 of Chapter 253, Public-Local Laws of 1931 being "An Act to Create a Board of Financial Control for Buncombe County and Certain Bodied Politic and Municipal Corporations Therein, and to Define the Powers and Duties Thereof", it is necessary that the Council submit to the Board of Financial Control a copy of the revenue ordinance for the fiscal year 1932-33 with the budget for said year.

I move that this Council recess its regular meeting until Wednesday, July 6, 1932, at 10:00 A. M., and that the City Clerk be instructed to advertise, in an Asheville newspaper having the largest or second largest circulation in the City of Asheville, a notice to the public that the Council will hear all complaints on the revenue ordinance at this recessed meeting.

The Committee on Special Privilege Taxes reported it would on Tuesday, July 5, 1932 at 10 o'clock hear any complaints from the public in regard to the Revenue Ordinance of the City of Asheville for the fiscal year 1932-33.

There being no further business, the meeting recessed until Wednesday, July 6th, at 10 o'clock, A. M.

Mayor

City Clerk.

Wednesday, July 6, 1932- 10 o'clock, A. M.

The City Council reconvened after recess: Mayor Green presiding. Present: Councilmen, Plott Boyd, W. C. Britt, H. G. Brookshire, Wilbur Devendorf, Ottis L. Green, Louis Lipinsky, Frank S. Smith, Wilkes Wambolat and Julian A. Woodcock, Corporation Counsel, J. G. Merrimon and City Manager, R. W. Rigsby.

The Committee on Special Privilege Taxes, composed of Messrs. Britt, Smith and Lipinsky, reported they had met in Tuesday, July 5th to hear complaints of citizens on the Revenue Ordinance and they recommended several changes be made.

On motion of Mr. Brookshire, seconded by Mr. Boyd, the changes recommended by the Committee were unanimously adopted.

It was moved by Mr. Woodcock, seconded by Mr. Wambolat, voted on and carried that Ordinance #172, entitled "An Ordinance levying, assessing imposing and defining the license and privilege taxes of the City of Asheville for the fiscal year beginning June 1, 1932, and ending May 31, 1933 be passed on its first reading. All members of the Council voting "aye".

Moved by Mr. Smith, seconded by Mr. Boyd, that the rules be suspended and the ordinance immediately put upon its second and third reading. All members of the Council voting for the suspension of the rules.

The ordinance was then placed on its second reading. Mr. Woodcock moved, seconded by Mr. Smith that Ordinance No. 172, entitled "An ordinance levying, assessing, imposing and defining the license and privilege taxes of the City of Asheville for the fiscal year beginning June 1, 1932 and ending May 31, 1933 be passed on its second reading. All members of the Council voting "aye".

Mr. Smith moved, seconded by Mr. Woodcock, that Ordinance No. 172, entitled "An ordinance levying , assessing, imposing and defining the license and privilege taxes of the City of Asheville for the fiscal year beginning June 1, 1932 and ending May 31, 1933 be passed on its third and final reading. All members of the Council voting for the adoption ofthe ordinance it was declared to be an ordinance of the City of Asheville to become effective according to statue July 21, 1932.

The ordinance is in the following words and figures:

ORDINANCE NO. 172

AN ORDINANCE

Levying, Assessing, Imposing and Defining the
License and Privilege Taxes of the

CITY OF ASHEVILLE

For the Fiscal Year Beginning June 1, 1932, and Ending May 31, 1933.

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COUNCILMEN

Ottis Green, Mayor
Louis Lipinsky, Vice- Mayor
Plott Boyd
W. C. Britt
H. G. Brookshire
Wilbur Devendorf
Frank S. Smith
Wickes Wamboldt
Julian A. Woodcock, Sr.

CITY MANAGER

R. W. Rigsby

CORPORATION COUNSEL

J. G. Merrimon

ASSISTANT CORPORATION COUNSEL

DeVere C. Lentz.

AN ORDINANCE LEVYING, ASSESSING, IMPOSING, AND DEFINING THE LICENSE AND PRIVILEGE TAXES OF THE CITY OF ASHEVILLE FOR THE FISCAL YEAR BEGINNING JUNE 1, 1932, and ENDING MAY 31, 1933.

THE CITY COUNCIL OF THE CITY OF ASHEVILLE DO ORDAIN:

Section 1.

That to raise funds for general municipal purposes, the following license taxes hereinafter specified are hereby levied for the privilege of carrying on the businesses, trades, professions, callings, occupations, or doing the act named, within the corporate limits of the city of Asheville, from the first day of June, 1932, to the thirty-first day of May, 1933, unless for saome other time or period herein specified, and all such taxes shall be due and payable in advance at the office of the Director of Finance. The payment of any particular tax herein imposed shall not relieve the party paying same from liability for any other tax specifically imposed for any other business conducted by such person.

Section 2.

That all persons, before engaging in any business, trade, profession, calling, occupation, or doing any act on which a license tax is imposed by this ordinance shall, except as hereinafter provided, apply for and procure in advance from the Director of Finance, or someone designated by him, for license, and upon the payment of the license tax herein imposed, a license shall be issued to said applicant. Such license must be posted conspicuously in the place of business licansed, and if the licensee has no regular place of business the license must be kept where it may be inspected at all times by the proper city officials.

That no license shall be transferrable or assignable except by consent of the City Manager.

Section 3.

(a) That any person, firm, or corporation desiring to engage in any business, trade, or vocation, or do anything hereinafter mentioned in this paragraph, may be required to appear in person before the Director of Finance for a license, stating the place at which it is proposed to conduct the business, the name of the owner of the business, or, if the owner be a firm, the names of all members of such firm, or, if the owner be a corporation, the names of the officers, including the manager. And the Director of Finance shall also have the right to require the owner, proprietor, manager, or other person interested in or connected with such business, to give evidence, upon oath, touching the manner in which such business has been or is to be conducted, as well as other facts which the Director of Finance may deem necessary. The Section shall apply to the following:



(1) Owners and Drivers of For Hire Vehicles and Public Conveyances.
(2) Keepers of Billiard, Pocket Billiard, or Bagatelle Tables.
(3) Bowling Alleys, or Alleys of like kind.
(4) Shooting Galleries.
(5) Cane Boards, Jingle Boards, or Knife Racks.
(6) Penny Arcades.
(7) Merry-Go-Rounds, Ferris Wheels, Switchbacks, or Roller Coasters.
(8) Any kind of Table, Stand, Place, or Game, Kept in a House or Room Used or Connected with a Hotel or Restaurant.
(9) Carnivals, Theatres, Motion Picture Shows, Vaudeville Shows, Dance Halls, Roof Gardens, or Menageries.
(10) Phrenologists.
(11) Lunch Counters or Restautants.
(12) Hotels, Lodging Houses or Boarding Houses.
(13) Soft Drinks.
(14) Junk Dealers.
(15) Pressing Clubs.
(16) Pawnbrokers.
(17) Second-hand Dealers.
(18) Gasoline or Oil Filling Pipes, Service Tanks, or Pumps.

(b) A license may be refused for any business enumerated in the preceding sub-section unless the City Manager shall be satisfied that the applicant, or the proposed manager, is a person of good moral character, and fit and proper person to conduct such business; and unless he shall also be satisfied that the place proposed is a suitable place for theconduct of such business.

(c) That billiard rooms, pool rooms, bowling alleys, bagatelle tables, or rooms where games or tables of like kind are operated, and also restaurants, cafes, lunch counters, or places where soft drinks are sold, shall be kept clear of screens or sight obstruction of any kind.

Section 4.

That before license shall be issued for any of the following businesses the applicant shall execute a satisfactory bond, payable to the City, in the amount hereinafter named, conditioned for the faithful observance by such licensee, his or its servants, agents, or employees, of all laws and ordinances now in force, or hereafter enacted, relating to such business, and further conditioned to save the City harmless from damage arising from the negligence of such licensee or agents, servants, or employees thereof, and otherwise as the City Manager may determine:

| | |
|---|---|
| (1) Pawnbrokers, | $1,000.00 |
| (2) Junk Dealers, | 1,000.00 |
| (3) Electrical Contractors, | 1,000.00 |
| (4) Electric Sign Contractors and Hangers, | 500.00 |
| (5) Plumbing Contractors, | 1,000.00 |
| (6) Sidewalk or Paving Contractors doing any work on sidewalks or streets, costing not over $300. Doing such work costing over $300., | 100.00 |
| (7) House Movers, | 1,000.00 |
| (8) Taxicabs, | 500.00 |
| | 500.00 |

Section 5.

That whenever the word "person" is used in this ordinance, the same shall be construed to include "firm", "companies", "corporations", and "Associations".

Section 6.

Where the amount to be paid for license depends upon the amount of gross sales or receipts, or other facts to be ascertained, it shall be the duty of persons applying for license to render to the Director of Finance a sworn statement of such gross sales or receipts during the preceding months, quarter, or year, as the case may be, and such other and further proof as the Director of Finance may require; or if the amount of license to be paid is determined by other facts, then a sworn statement as to such facts, and such other and further proof as the Director of Finance may require, shall be rendered said Director of Finance; and in either case the Director of Finance shall not be required to receipt for the money orissue any license until satisfactory proofs are furnished. In case the business for which the license required is commenced after June 1, 1932, and the tax on such business is based upon gross sales or receipts or facts to be ascertained, the license shall be assessed upon the probable gross sales or receipts during a term of one year; or if the amount of tax to be paid is determined by other facts to be ascertained, then a sworn statement as to such facts shall be made, and the license based thereon. Provided, however, that the Director of Finance shall have the right at any time during the period covered by any license to require of such licensee additional sworn statement as to the sales and receipts or other determining facts of such business, and an additional license tax shall be paid in accordance therewith.

Section 7.

When any business is begun after June 1, 1932, the tax in such case may be reduced in proportion to the number of full quarters that have elapsed since June 1, 1932, unless otherwise provided in the Section fixing the tax. Provided, however, that no license shall be issued for less than one ($1.00) dollar.

The adoption of this schedule of license tax shall not abridge the right of the City Council to change, alter, increase, or decrease, any or all of the license taxes herein levied, or to levy taxes on businesses, trades, or professions not hereby taxed, at any time. And when any increase is made, the license shall be revoked unless such increase tax be paid within thirty (30) days.

Should any section, paragraph, sentence, clause, or phrase of this ordinance be declared unconstitutional or invalid for any reason, the remainder of said ordinance shall not be affected thereby.

Section 8.

A separate license shall be required for each place of business and every class of business for which a license tax is required by this ordinance.

Section 9.

Any license issued under this ordinance shall be subject to revocation or suspension for a definite or indefinite time by the City Manager, without refund of any part of the tax paid, if the licensee or manager, or person in charge of the business, or employee, shall violate any ordinance or law relative to such business, or be convicted of crime, or if, in the judgment of the City Manager, the license does, by reason of its nature or the manner or place in which it is conducted, constitute a nuisance or is a menace to good order or to public health, welfare, safety, or morals. And upon the revocation or suspension of any such license, it shall be unlawful for the person to whom such license was granted to continue to conduct such business. Any person, firm, or corporation, violating this provision shall pay a penalty of fifty ($50.00) dollars. Each day such business is conducted after revocation or suspension of license shall constitute a separate offense.

Section 10.

It shall be the duty of the Director of Finance to see that the Solicitor of the Police Court is furnished with a list of all unpaid license taxes for the fiscal year of 1932-33, on or before September 1st, 1932, and it shall be the duty of the Solicitor of the Police Court to issue warrants for all delinquents and to prosecute as vigorously as necessary and demand that the same be paid or inflict a penalty as provided in this ordinance.

Section 11.

That each owner of any vehicle, private or for hire, public dray, or other vehicle for which license is issued, shall display on such vehicle a metallic sign to be furnished by the City.

Section 12.

That upon satisfactory proof that any such metal sign or tag has been lost or destroyed, the Director of Finance shall furnish a duplicate upon payment of a fee of one ($1.00) dollar.

Section 13.

That every person who shall violate any provision of this ordinance or carry on any business, trade or vocation, or profession, on which alicense tax has been fixed, without having first paid the tax and received a license, shall be liable to a penalty of fifty ($50.00) dollars for each offense, and each day said business shall be carried on shall constitute a separate and distinct offense.

Section 14.

Any license taxes imposed by this ordinance shall bedue and payable in advance, and if any person shall fail to pay any license tax required by this ordinance by September 1, 1932, five (5%) percentum per month of the amount of such license shall be added to the tax required, and no license shall be granted until the license tax, plus the five (5%) percentum per month thereof, has been paid. The addition of the five (5%) percentum per month on the amount of said license tax shall not exempt the delinquent from the penalties herein prescribed in case of delinquency.

Section 15.

LICENSE SCHEDULE

"A"

ABATTOIR, OR SLAUGHTER HOUSE, . ..... ... ..... $50.00

ACCOUNTANTS.

Exempt by State Statutes.



ADVERTISING - NOT SPECIALLY TAXED. Every person engaged in the business of soliciting or contracting for advertising, or engaged in the business of advertising, and not specifically classified and taxed by this article, where tax is not prohibited by State statutes, shall pay a license tax of, per annum,..... $ 30.00
PROVIDED, that this tax shall not apply to newspaper or periodicals published in the city.

ADVERTISING, OUTDOOR - BILLBOARDS. Every person, firm, or corporation, which is engaged or engages in the business of outdoor advertising by means of signboards, poster boards, or printed bulletins, and any other outdoor advertising devices, erected upon grounds, walls or roofs of buildings, per annum,..... $ 75.00

(a) Every person, firm, or corporation, owning or maintaining signboards, poster boards, painted bulletins, printed advertisement bulletins, or other out-door advertisements of any nature, shall have imprinted on the same the name of such person, firm , or corporation in sufficient size to be plainly visible and permanently affixed thereto.

(b) Distribution in the city of Asheville, or signtacking, advertising by tacking, pasting on poles, trees, buildings, fences, or other structures, except on licensed billboards PROHIBITED.

(c) Advertising by use of brass bands or music or by public announcements on the streets of the city, clowning, floats, etc.,
Per day $ 5.00
Per week, 25.00

ADVERTISING, DISTRIBUTION OF SAMPLES, PRINTED ADVERTISEMENTS, AND CIRCULARS. Every person, firm, or corporation, distributing samples, circulars, handbills, or other printed matter from house to house, anywhere within the corporate limits of the city of Asheville, shall pay, per annum,..... $ 100.00
For one distribution, where the annual tax has not been paid,.... 50.00
PROVIDED, that all distributions of hand bills, circulars, or other printed matter, shall be delivered to someone in each residence or business house, or shall be placed under the front door of each residence or business house, or between the front door and the screen. Also, each person, firm, or corporation, distributing said circulars, hand bills, or other printed matter, shall have thename of such person, firm, or corporation, on each hand bill, circular, or other printed matter, in sufficient size to be plainly visible and permanently affixed thereto; and distribution of hand bills, circulars, or other printed matter, other than provided in this proviso, is hereby PROHIBITED.

ADVERTISING, PLACARDS. Every person in, or on whose premises, building, or place of business, placards are placed for advertising purposes, and who makes a charge therefo , shall pay a license tax of, per annum,..... $ 25.00
PROVIDED, that every person engaged in the business of operating street cars, and placing or allowing to be placed within such cars placards for advertising purposes, and making a charge therefor, shall pay a license tax of, per annum,..... $ 250.00

ADVERTISING BY USE OF PICTURE MACHINES. Every person, firm, or corporation operating a moving picture machine and selling theuse of the same for advertising purposes, shall pay an annual license tax as follows:

In each place where the advertisement is run, having a seating capacity of less than three hundred (300), per annum, ..... $ 40.00
In each place where the advertisement is run, having a seating capacity of three hundred (300) and less than one thousand (1,000) per annum $ 75.00
In each place where the advertisement is run, having a seating capacity over one thousand (1,000), per annum,..... $100.00

ADVERTISING BY WAGON OR VEHICLE DRIVEN THROUGH STREETS WITH ADVERTISING SIGNS.
Per week,..... $ 25.00
Per day,..... 5.00
PROVIDED, that no tax shall be collected where persons advertising place signs on their own vehicles, or for advertisement of football or baseball games.
PROVIDED, that the provisions of this Section shall apply to all itinerants as defined herein who place advertisement signs on their vehicles.

AGENTS NOT SPECIFICALLY TAXED. Every person engaged in business as an agent having the agency for the manufacturer, producer, or distributor, and not specifically taxed by some other section of this License Schedule, shall pay a license tax of, per annum,..... $ 25.00

AMUSEMENT DEVICES (SEPARATE FROM A CARNIVAL).
See "Riding Devices".

AMUSEMENT PARKS. Every person, firm, or corporation engaged in the business of operating a park open to the public as a place of amusement, in which there may be either a bowling alley, trained animal show, penny or nickel machine for exhibiting pictures, moving picture show, theatrical performance, or similar entertainment, shall pay for the privilege of conducting such amusement park, a tax as follows:

Municipal license for two (2) months or less,..... $ 200.00
Municipal license for four (4) months, ..... 400.00
Municipal license for eight (8) months,..... 600.00
Municipal license for twelve (12) months, ..... 800.00
The payment of the tax shall not authorize the operation of a carnival, circus, or show of any kind that moves from place to place.

ANTIQUE FURNITURE OR ORIENTAL GOODS, DEALERS IN.
Per annum,..... $ 50.00
Itinerant, per annum,..... 100.00

ANTIQUE SHOPS. Any person, firm, or corporation, selling or distributing what is commonly termed antiques, per annum,..... $ 25.00

ARCADES, PENNLY PARLORS, PEEP SHOWS.
Each, per annum,..... $ 200.00
NOT PRORATED.

ARCHITECTS.
Exempt by State Statutes.

ART GOODS, MANUFACTURERS OR DEALERS IN.
Resident, retail dealers, ..... $ 10.00
Itinerant, ..... 100.00

ASPHALT OR ASPHALT SUPPLIES ONLY. Dealers, sellers, or distributors in, each, per annum,..... $ 100.00
When building material tax is paid no additional tax shall be collected under this section.

ATHLETIC SUPPLIES. Every person, firm, or corporation selling or distributing athletic supplies or equipment, per annum,..... $ 25.00

ATTORNEYS.
Exempt by State Statutes.

AUCTIONEERS. Any person, firm, or corporation that conducts auction sales of anything other than real estate, shall pay an annual license tax of,
Residents, each per year,..... $ 25.00
Any person, firm, or corporation, that conducts auction sales of real estate for profit, shall pay a tax of,
Residents, each per year,..... $ 50.00
Itinerats, each per year,..... 100.00
Itinerants, each per day,..... 50.00
NOT PRORATED.

AUTO CLEANING STATIONS. Auto cleaning stations conducted or operated on private property, per annum,..... $ 12.50

AUTOMOBILE, MOTORCYCLE AND MOTOR VEHICLE DEALERS, AND SERVICE STATIONS.
(a) Automobile Service Stations: Every person engaged in the business of servicing storing, painting, or upholstering of motor vehicles, trailers, or semi-trailers, or engaged in the business of retailing, selling, and/or delivering of any tires, tools, batteries, electrical equipment, automotive accessories or supplies, motor fuel and/or lubricants, or any such commodities, shall pay for each location where such business is carried on, a license of, per annum..... $ 12.50

(b) Automobile Service Stations on Sidewalks or Streets: Every person engaged in the business of operating any gasoline or oil pump located on any street or sidewalk whether such pump is used in connection with any other business or not, and whether such pump is regularly used for the sale of gasoline, or oil, or not, shall pay therefor an annual license tax of, per pump,..... $ 100.00
PROVIDED, all such tanks must be installed under the direct supervision and according to the instruction of the Director of Public Works. A permit to install same must be obtained from the City Manager. The Council reserves the right, however, to prohibit the installation of such tanks on public property within the congested district of said municipality. This tax is for the right to use the sidewalk and is in addition to taxes levied by this ordinance on Automotive Service Stations.

(c) Automobile Equipment and Supply Dealers at Wholesale: Every person engaged in the business of buying, selling, distributing, exchanging and/or delivering automobile accessories, parts, tires, tools, batteries, and/or other automobile equipment or supplies or any of such commodities at wholesale, shall pay for each location where such business is carried on, a license tax for every place of business of, per annum $ 62.50
PROVIDED, any person, firm, or corporation engaged in the business enumerated in this section, andhaving no located place of business, but selling to retail dealers by use of some form of vehicle, shall pay for such license, on each vehicle in carrying on such business, a tax of, per annum,..... $ 25.00

(d) Body or Top Builders: Every person engaged in thebusiness of building bodies or tops for automobiles, busses, or trucks, including necessary curtains, shall pay therefor a license tax of, per annum,..... $ 12.50

(e) Curtain Manufacturers: Every person engaged in the business of manufacturing curtains for automobiles, busses, or trucks, and not building bodies or tops for such automobiles, busses, or trucks, shall pay therefor a license tax of, per annum,..... $ 25.00

(f) Motorcycle Dealers: Every person engaged in the business of buying, selling, distributing, and/or exchanging motorcycles or motorcycle supplies, or any such commodities, shall pay therefor a license tax of, per annum,.. $ 10.00



(g) Motor Vehicle Dealers: Every person engaged in the business of buying, selling, distributing, servicing, storing, and/or exchanging motor vehicles, trailers, semi-trailers, tires, tools, batteries, electrical equipment, lubricants, and/or automobile equipment and supplies, shall pay for each location at which such business in carried on, a license tax of, per annum,..... $ 50.00

(h) Automobile Equipment, Used Parts: Every person, firm, or corporation buying and sellingsecond-hand, used parts for automobiles, or repairing automobiles, shall pay a license tax for each business of, per annum,..... $ 12.50

AWNING AND TENTS. Every person operating any business of manufacturing, selling, installing, or erecting tents or awnings, shall pay a license tax of:
Per annum,..... $ 50.00
Itinerants, each,..... 100.00

"B"

BAGGAGE OR TRANSFER BUSINESS.
See "Drays".

BAKERY PRODUCTS, CAKES, CRACKERS, AND DOUGHNUTS. Each and every person, firm, or corporation operating a bakery or preparing or manufacturing cakes, crackers, or doughnuts, shall, if selling at retail, pay a license tax of, per annum,..... $ 25.00
Selling bakery products, including bread, crackers, or cakes, doughnuts, at wholesale, a tax of, per annum,..... 125.00
PROVIDED, that person, firm, or corporation selling and delivering bakery products, including cakes, crackers, or doughnuts, manufactured outside of the City, shall pay for each vehicle used in delivering such products within the city, a license tax of,
Per annum,..... $ 75.00
And, provided, further, that this tax shall not apply to merchants selling bakery products, cakes, crackers, or doughnuts, in connection with a regular merchandising business; and, provided, further, that it shall be unlawful for any person, firm, or corporation selling or delivering bakery products, after the passage of this ordinance, to sell or deliver any such products from a vehicle unless such vehicle shall have plainly and visibly painted on it thename of the person, firm, or corporation operating same, together with the name of the city where such bakery products are manufactured and to also procure from the Health Officer a "Bakery Delivery Permit", the number of which permit must be on such vehicle.
Doughnuts, retail sales only, per annum,..... $ 10.00
Doughnuts, wholesale sales only, per annum,..... 25.00

Bakery products, small pies at retail, not over five cents,
per annum,..... 25.00
The foregoing shall not be collected from restaurants, on which restaurant tax has been paid.

BALLOONS, NOVELTIES, SOUVENIRS, CURIOS, FLAGS, ETC. Every individual selling or offering for sale balloons, novelties, souvenirs, curios, flags, needles, sewing equipment, paring knives, cookingutensils, orother instruments for the preparation of foods, or other classes of merchandise not specifically license or taxed herein, or ice cream, soft drinks, lunches, and fruits, shall pay a license tax of:
Per day, $ 7.50
Per week, 15.00
Per month, 50.00
Provided, that such tax shall not apply to any merchant selling said articles as part of a regular merchandise business and paying the tax prescribed for merchants; and provided, that no person shall sell any food products under this Section without first obtaining a written permit from the Health Officer.

BANKRUPT OR FIRE STOCK. Every itinerant salesman or merchant who shall expose for sale, either on the street or in a house or store building rented temporarily for that purpose, any goods, wares, or merchandise, bankrupt stock, or fire stock, not being a regular merchant in the city, shall apply for in advance and procure a license for the privilege of transacting such business, and shall pay for such license a tax of, per annum, $100.00
NOT PRORATED.
PROVIDED, that such tax shall not apply to any receiver or trustee conducting a bankrupt sale under order of court.

BANKS AND TRUST COMPANIES. Each person, firm, or corporation, engaged in the business of operating any general banking or trust business, and such other business as is ordinarily conducted in connection with banks and trust companies, shall pay a license tax as follows:
If its capital stock does not exceed $100,000.00, per annum,. $ 50.00
If its capital stock exceeds $100,000.00 but does not exceed $200,000.00, per annum,..... 100.00
If its capital sock exceeds $200,000.00, per annum,..... 150.00

BANKS- MORRIS PLAN OR INDUSTRIAL. Every person, firm, or corporation engaged in the business of operating a Morris Plan or Industrial Bank, shall pay for the privilege of engaging in such business the following tax:
When the total resources, as of December 31, of the previous year, are less than $250,000.00, 35.00
$250,000.00 and less than $500,000.00 70.00
$500,000.00 and less than $1,000,000.00 100.00
$1,000,000.00 and less than $2,000,000.00, 150.00
$2,000,000.00 and less than $5,000,000.00, 200.00
$5,000,000.00 and over, 300.00

Every person, firm, or corporation engaged in the business of soliciting loans or deposits for Morris Plan orother industrial Banks, shall pay a license tax of,
Per annum,..... $ 25.00
Any bank that shall begin business during the current tax year, the tax shall be calculated on the total resources at the beginningof the business.

BARBER COLLEGES. Per annum,..... 25.00

BARBER SHOPS, BEAUTY SHOPS OR PARLORS. Every person, firm, or corporation, engaged in the business of conducting a barber shop, beauty shop, or other parlor of like kind, shall pay the following tax:

For each barber shair maintained in barber shop,..... 2.00
For each operator in beauty shop, parlor, or other shop of like kind in any office, hotel, or other place,..... 5.00
Itinerant Massage Operator, per day,..... 5.00

BARBER OR BEAUTY SHOP SUPPLIES. Every person, firm, or corporation engaged in the selling of barber or beauty shop supplies, per annum,..... 25.00

BARREL, CRATE, OR BASKET FACTORIES. Each, per annum,..... 25.00

BATH HOUSES. Every person, firm, or corporation operating or maintaining a bath or massage establishment, per annum,..... 50.00

BEAUTY SHOPS OR PARLORS.
See "Barber Shops".

BED MANUFACTURERS. Each, per annum,..... 25.00

BICYCLES. Each dealer or agent selling, supplying repairing, or renting, per annum,..... 10.00
Renting only, per annum,..... 10.00

BILLBOARDS, ADVERTISING BY USE OF.
See "Advertising By Use Of".

BILLIARDS, POOL, BOWLING ALLEYS. Every person, firm, or corporation, association, club, or organization by whatsoever name called, who shall run, maintain, or operate a table or tables on which billiards or pool is played, or bowling alleys, or alley of like kind, shall pay on each table or alley so operated, per annum,..... 50.00
NOT PRORATED.

BINDERS OF BOOKS. Including job printing, each per annum,.. 30.00
Not including job printing, each per annum,.. 15.00

BIRDS. Every person, firm, or corporation, selling live birds, per annum,..... 10.00
PROVIDED, that when pet shop license tax has been paid, no bird license shall be collected.

BLOCKS, CEMENT.
See "Cement Blocks".

BLOWING MACHINES, LIFTING MACHINES, OR ANY EXHIBITION OR PERFORMANCE OF LIKE CHARACTER.
Each, per day,..... 50.00

BLUEPRINT SHOPS. Every person, firm, or corporation, making or selling or distributing blueprints, each per annum,..... 25.00

BOARDING HOUSES. Every person furnishingfor renumeration within any residence at least one meal on any one day to as many as five or more persons, transients, or permanent, shall be deemed to be operating a boarding house, and shall pay a license tax of, per annum,..... 25.00
PROVIDED, that such operator or owner of said boarding house has not paid a tax in schedule under "Hotels".

BOATS AND BOAT SUPPLIES. Every person, firm, or corporation, selling boats and/or boat supplies, and/or equipment for boats, per annum,..... 50.00

BOND MAKERS.
(a) Every person, firm, or corporation who justifies on any bond or makes a bond for any person for profit, shall pay an annuam tax of,..... 350.00
(b) Every person, firm, or corporation who justifies or makes an appearance bond for a defendant in the police court of the City of Asheville, and receives compensation ther for, per annum,..... 350.00
Only one tax shall be collected from the same business concern hereunder.

BOOK AGENT.
Per annum,..... 50.00
Per day.,..... 5.00
NOT PRORATED.
Each agent shall always carry the license receipt issued and show the same when called to do so by anyone whom such agent calls on for the purpose of making a sale of demonstration.



BOOK BINDERS.
See "Binders of Books".

BOOT BLACK STANDS. Every person, firm, or corporation, operating any shoe shine parlor or other place open to the public generally for the shining of shoes, shall pay a license tax thereon as follows:
Where the stands, chairs, seats, boxes, or pairs of foot rests designated for the use of boot blacks in shining shoes, and kept in such parlors or places of business, "whether regularly used or not", does not exceed two,..... $ 2.50
Where the number is more than two and less than six,..... 5.00
Where the number is six and less than ten,..... 10.00
Where the number is ten or more,..... 15.00

BOTTLING WORKS.
(a) Every person, firm, or corporation, manufacturing, producing, bottling, or distributing in bottles or other closed containers, soda water, coca-cola, pepsi-cola, gingerale, Chero-cola, Dr. Pepper, grape, and other fruit juices, or imitations thereof, carbonated, or malted beverages, and like preparations, commonly known as soft drinks, shall pay a special license tax under the following schedule, to-wit:

LOW PRESSURE EQUIPMENT:
Where the machine or the equipment unit used in the manufacture of the above named beverage is a:
36 spouts, or greater capacity, low pressure filler,..... 150.00
32 and less than 36 spouts, low pressure filler,..... 125.00
24 and less than 32 spouts, low pressure filler,..... 112.50
18 and less than 24 spouts, low pressure filler,..... 87.50
12 and less than 18 spouts, low pressure filler,..... 62.50

HIGH PRESSURE EQUIPMENT:
Where the machine on the equipment unit used in the manufacture of the above named beverages if a Royal (8-head), Shields, (6-head), Adriance (6-head), or other high pressure equipment having manufacturers' rating capacity of over sixty bottles per minute.. 150.00
Royal (6-head), Daleson (6-head), or other high pressure equipment having manufacturers' rating capacity of over fifty and less than sixty bottles per minute... 125.00
Royal (4-head), Adriance (2-head), Shields (2-head), (full automatic), or other high pressure equipment having manufacturers' rating capacity of more than forth and less than fifty bottles per minute,..... 112.50

Dixie (automatic) Shields (2-head hand feed), Adriance (1-head), Calleson (1-head), Senior (high pressure), Junior (high pressure), or Burns' or other high pressure equipment having manufacturers' rating capacity of more than twenty-four bottles and less than forty bottles per minute,..... 37.50

Single Head Shields, Modern Bond (power), Baltimore (semi-automatic) and all other machines or equipment having manufacturers' rating capacity of less than twenty-four bottles per minute, and all foot power bottling machines,..... 25.00

PROVIDED, that any bottling machine or equipment unit is not herein specifically mentioned shall bear the same tax as a bottling machine or equipment unit of the nearest rated capacity as herein enumerated; provided that where any person, firm, or corporation or association, has within his bottling plant or place of manufacture more than onebottling machine or equipment unit, then such person, firm, or corporation, or association, shall pay the tax as herein specified upon every such bottling machine or equipment unit whether in actual operation or not.

(b) Every person, firm, corporation, or association, distributing at wholesale or jobbing, bottled beverages, as enumerated in subsection (a), shall pay an annual license tax of, per annum,..... 87.50
PROVIDED, however, that where the tax levied under subsection (a) has been paid on any of the articles, machines, or equipment units enumerated therein, the tax levied under this subsection shall not apply, nor shall any tax be collected on account of the delivery of the products, beverages, or articles enumerated in subsection (a), and (b),when a tax has been paid under subsection (a) or (b).

(c) Aerated, mineral, or other waters, selling or delivering in the city, per annum,..... 50.00

(d) Itinerant dealers, selling or delivering to retailers bottled soft drinks or waters, shall pay a license tax of, per month,..... 50.00
And, in addition to the above tax, for each vehicle operated in connection with, per vehicle,..... 10.00

BOWIE KNIVES. Any person, firm, or corporation who shall keep in stock, or offer for sale, any bowie knives, dirks, daggers, slingshots, loaded canes, or brass, iron or metallic knuckles, shall pay a license tax of, per annum,..... 200.00

BOWLING ALLEYS.
See "Billiards".

BOX FACTORIES. Per annum,..... 10.00

BRANCH AND CHAIN STORES.
See "Chain and Branch Stores".

BRASS BANDS, ADVERTISING BY THE USE OF, IN THE CONGESTED DISTRICT OF THE CITY.
See "Advertising by the Use of".

BRASS KNUCKLES
See Bowie Knives".

BROKERS, COTTON. Every person, firm, or corporation, engaged in the business of buying and/or selling on commission any cotton, grain, provisions, or other commodities either for actual, spot, or instant delivery, shall pay a license tax of
Per annum,..... $ 50.00

BROKERS, LUMBER - DEALERS OR AGENTS.
See "Lumber Agents".

BROKERS, MERCHANDISE AND STOCK. On every commission merchandise broker or dealer engaged in the buying and sellingof goods and merchandise on commission, a license tax shall be paid of, per annum,..... 25.00

BROKERS, PAWN. On every person, firm, or corporation, engaged in lending money or other things forprofit, or on account of specific articles of personal property deposited with the lender in place, a license tax of, per annum... $50.00
Applicants for pawnbroker's license must apply to the City Manager, in person, for license and file bond with a company licensed to do such business in the State of North Carolina as surety conditioned as the said Council may determine; which bond must be approved by the Solicitor of the Police Court; provided, every pawnbroker shall make a daily report to the Chief of Police, such report to give an accurate record of each individual article received or deposited as surety, showing name and address of owner, description of article, sufficient for identification, amount advanced for loan; such report to be made in a clear, legible hand or on a typewriter. Any person, firm, or corporation, transacting the business of pawn broker without a license, as provided in this section, or violating any of the provisions of this section, shall be guilty of a misdemeanor and fined not less than fifty ($50.00) dollars.

BROKERS, STOCK. Every dealer in stocks, bonds, or other securities, whether engaged in buying or selling on commission, or buying outright, shall pay a license tax of,
per annum,..... 50.00

BUILDING AND LOAN ASSOCIATIONS. Every building and loan association, domestic or foreign operating on a mutual or cooperative basis for the purpose of making loans to its members only, and of enabling its members to acquire real estate, make improvements thereon, and remove incumbrances therefrom by the payment of money in periodical installments or principal sums, and for the accumulation of a fund to be returned to members who do not obtain advances for such purposes, shall pay an annual license tax as follows:

A tax of two (2¢) cents on each one hundred ($100.00) dollars of actual book value of shares of stock issued and outstanding on the 31st day of December, 1931, as shown by reports of such association to the Insurance Commissioner, and approved by said Commissi

BUILDING MATERIALS.
(a) Every person, firm, or corporation engaged as a dealer in lumber or other building materials, shall pay a license tax of, per annum,..... 50.00
(b) Building Material Brokers: Every person, firm, or corporation, engaged in the brokerage of building materials, shall pay a license tax of,
per annum,..... 50.00
(c) Every person, firm or corporation, hauling or delivering lumber or building material in the City of Asheville, not having paid the tax in sub-section (a) and (b), shall pay the following tax:
On each one-ton truck or less,.....50.00
On each truck over one ton.....75.00
On each two-horse wagon,.....24.00
On each one-horse wagon,.....15.00

BUTCHER SUPPLIES. Dealers in butcher supplies shall pay a license tax of,
each per annum,..... 50.00

BUYING AND SHIPPING OF TELEPHONE POLES, CROSS TIES, LOGS, TAN BARK, ACID WOOD OR SIMILAR ARTICLES, OFFICE ONLY. Each, per annum..... 25.00

"C"

CABINET OR FURNITURE REPAIR SHOPS. Per annum,..... 15.00

CAKES AND CRACKERS.
See "Bakeries".

CAMERAS AND KODAKS. Every person, firm, or corporation, selling or renting cameras or kodaks, per annum,..... 5.00

CANDY MANUFACTURERS OR KITCHENS. Every person, firm, or corporation manufacturing candy or other confectioneries, each, per annum,..... 50.00

CANDY. At wholesale, where twenty (20%) percent of the business done is the selling of candy, per annum,..... 100.00
At wholesale, where less than twenty (20%) percent of the business done is the selling of candy, per annum,..... 10.00
On each truck delivering candy or chewing gum or peanut products or other confections, or tobacco products for concerns which have not paid the wholesale tax herein levied, per annum,..... 50.00



CANE, LOADED.
See "Bowie Knives".

CANE RACKS. Racks for canes or knives, each per day..... $ 100.00

CANVASSERS. Every person, firm, or corporation engaged in the business of canvassing, per annum,..... 50.00
NOT PRORATED.
A canvasser shall mean anyone who solicits orderes for business, or sells from house to house anywhere within the corporate limits of the City of Asheville.

CAP PISTOLS.
See "Fire Works".

CARBIDE MANUFACTURERS OR DISTRIBUTORS. Every person, firm, or corporation engaged in the business of manufacturing or selling or distributing carbide,
per annum,..... 25.00

CARNIVAL COMPANIES. Every person, firm, or corporation engaged in the business of a carnival company or a show of like kind, moving pictures and vaudeville shows, museums and menageries, merry-go-rounds, ferris wheels, riding devices, and other like amusements and enterprises, conducted for profit, under the same general management; or an aggregate of shows, amusements, eating places, riding, devices, or any of them operating together on the same lot or contiguous lot or streets, traveling from place to place, whether owned and actually operated by separate persons, firms, or corporations, or not, filling week-stand engagements, or giving week-stand exhibitions, under canvas or not, or a part of a week, shall pay for the privilege of engaging in such business or amusements, for each week or part of a week, the following tax:
Consisting of not more than two distinct attractions,
per week or part thereof,..... 400.00
Consisting of two and not more than five distinct attractions,
per week or part thereof,..... 600.00
Consisting of more than five distinct attractions,
per week or part thereof,..... 800.00

Before any carnival company shall give any performance or exhibition, or open for the conduct of business within the corporate limits of the City of Asheville, an application in writing shall be made to the City Council verified by the owner or manager of such carnival company, and giving the following information:
The name of the owner of such carnival company, and in the event such owner is a corporation, the state where chartered, and its office or principal place of business, together with names of the officers of such corporation, or if a partnership, the names of all the partners; also, the route for a period of three weeks followingthe playing in the City of Asheville.
Only one carnival will be licensed to play within the corporate limits of the City during any one month, and in the event of the granting of any license permit, such permit shall only authorize the operation of the exhibition known as "shows" or "rides", and the operation of any gambling games, including "wheels", "stores", or other concessions, are expressly prohibited, and the right is hereby reserved to refuse any and all applications for permits, and in no event will any rebates, reductions from the tax levied, be made for any cause or purpose whatsoever.

A cash deposit of fifty dollars will be required from each carnival before "setting up" on lot, to defray the expenses of the Sanitary Department for cleaning up the lot used. The actual cost of cleaning will be charged and a refund will be made in the event of any surplus.

CARPET OR RUG CLEANING. Per annum,..... 25.00
Where license is paid under "Cleaning or Pressing Club Establishments", tax not collectable under this section.

CASKETS, COFFINS-DEALERS IN. Every person, firm, or corporation engaged in the business of burying and/or embalming the dead, or in theretail of coffins, caskets, or other fumeral supples, shall pay a license tax of, per annum,..... 100.00
Provided, this Section shall not apply to a cabinet maker who is not an undertaker, who makes coffins to order, nor to licensed embalmers.

CEMENT BLOCKS. Manufacturers of cement blocks, or pipe manufacturers,
each per annum,..... 25.00

CEREAL MANUFACTURERS. Every person, firm, or corporation manufacturing cereals, shall pay a tax of, per annum,..... 25.00

CHAUTAUQUAS AND ENTERTAINMENTS -CHARITABLE.
Per week or part week,..... 20.00
All exhibitions or entertainments given for the sole benefit of religious, charitable or educational objects shall be exempt from taxation.
PROVIDED, that when operas, chautauquas, star courses, or theatrical troupes are employed, such as usually appear in licensed halls, then the tax shall be the same as that imposed on traveling theatrical companies performing in unlicensed halls.
PROVIDED, further, that no tax shall be charged for an exhibition or entertainment for the sole benefit of religious, charitable, or educational objects, and given in halls used at the time exclusively for such objects, nor for exhibitions given at city parks when no charges for admission are made.

CHAIN AND BRANCH STORES. Every person, firm, or corporation, engaged in the business of operating or maintaining, under the same general management, supervision or ownership, two or more stores or mercantile establishments where goods, wares and/or merchandise is sold, or offered for sale at retail, shall be deemed a branch or chain store operator. On each and every such store operated, in excess of one, per annum,..... $ 50.00

CHEMISTS, MANUFACTURER. Each, per annum,..... 15.00

CHEWING GUM, DEALERS IN.
See "Candy".

CHICKENS, BABY. Every person, firm, or corporation selling from their business establishment any chickens under six weeks of age, shall pay a license tax of, per annum,..... 10.00

CIGARS, CIGARETTS, AND TOBACCO, RETAILERS AND JOBBERS. Every person, firm, or corporation manufacturing cigars, cigarettes, chewing tobacco, smoking tobacco, snuff, or any other tobacco products, shall pay a license tax of, per annum,..... 25.00
Every person, firm, or corporation, engaged in the business of retailing and/or jobbing cigars, cigarettes, chewing tobacco, smoking tobacco, shuff, or any other tobacco products, shall pay a license tax of, per annum,..... 10.00

CIRCUSES. Every person, firm, or corporation engaged in the business of exhibiting performances, such as a circus, menagerie, wild west show, dog and/or pony show, or any other show, exhibition, or performance similar thereto, shall pay the following tax for each day or part thereof:
(a) Such shows and/or exhibitions traveling on railroads and requiring transportation of:

| | |
|---|---|
| Not more than two cars,..... | 12.50 |
| Three to five cars, inclusive,..... | 20.00 |
| Six to ten cars, inclusive,..... | 37.50 |
| Eleven to twenty cars, inclusive,..... | 50.00 |
| Twenty-one to thirty cars, inclusive,..... | 75.00 |
| Thirty-one to fifty cars, inclusive,..... | 100.00 |
| Over fifty cars,..... | 125.00 |

(b) Such shows and/or exhibitions travelingby automobiles, trucks, or other vehicles, other than railroad cars, and requiring transportation by:

| | |
|---|---|
| Not over two vehicles,..... | 5.00 |
| Three to five vehicles,..... | 7.50 |
| Six to ten vehicles,..... | 10.00 |
| Eleven to twenty vehicles,..... | 12.50 |
| Twenty to thirty vehicles,..... | 17.50 |
| Thirty to fifty vehicles,..... | 22.50 |
| Over fifty vehicles, per vehicle in excess thereof,.. | 1.00 |

(c) Each sideshow, curiosity show, or other similar show, exhibiting on the same or contiguous lots with a circus, the tax shall be, per day of part of a day,..... 7.50
And each separate tent shall be regarded as a sideshow and shall pay the license tax hereinbefore provided.

The payment of the foregoing tax shall only permit the exhibition known as the "sideshow", or in circus parlance, the "kid show". Before any permit for the licensing of a circus, menagerie, wild west show, or dog and pony show will be given, an application must be made to the City Manager, which application must show the name and title of the circus or other exhibition, the manager thereof, the owner or operators of the same, and if a corporation, the principal office of place of business and the officers thereof, and the route of such circus or exhibition, for the six days following any performance in Asheville, and if such route is not determined at the time of such application, it must be filed before giving any performance within the City; the number of cars, including "advance cars", the lot upon which the "big top", "cook house", stable and other tents and equipment will be placed; whether a parade will be given or not; the articles or merchandise to be vended, and the retail price thereof; which application must be sworn to and subscribed before an officer authorized to administer an oath; provided, further, that the tax shall be based on the report of the State Treasurer or an actual count of cars by the Director of Finance and the payment of a license on the main and side shows shall not authorize or permit the operation or the sale of any concessions, soft drinks, or other merchandise without payment of the tax specifically designated herein upon such sales, and the sale of any and all food-stuffs shall be under the supervision of the Health and Sanitary Departments, and all ordinances regulating the handling of food shall apply to sales by any circus, their servants, agents, employees or concessionaries.

PROVIDED, further, that a cash deposit of fifty dollars will be required from each circus or exhibition before "setting up" on lot, to defray the expenses of the Sanitary Department for cleaning up the lot used. The actual cost of such cleaning will be charged and refund will be made in the event of any surplus. A deposit to cover cost of water used from the city supply will be required in accordance with the sixe of the circus.



CLAIM OR COLLECTION AGENCIES. Every person engaged in the business of operating for profit a collection agency for the purpose of collecting accounts, bills, notes or any other indebtedness from one person in favor of another, shall pay a license tax of, per annum,..... $ 50.00
PROVIDED, that this Section shall not apply to a regularly licensed practicing attorney-at-law.

CLEANERS OR DYERS OF HATS.
See "Pressing Clubs."

CLEANING AND PRESSING ESTABLISHMENTS.
See "Pressing Clubs".

CLOTHING. Taking measures for wearing apparel of any kind when neither the agent nor principal is carrying on a regular business which requires a stock of merchandise listed for ad valorem taxes within said city;

| | |
|---|---|
| First day,..... | 15.00 |
| Each day thereafter,..... | 5.00 |

CLOTHING (SECOND HAND). Dealers in second hand clothing shall pay a license tax of per annum,..... 100.00
PROVIDED, that all such dealers shall secure a permit from the Health Officer.

COAL AND COKE DEALERS.
(a) Wholesale- Every person, firm, or corporation, either as agent or principal, engaged in and conducting the business of selling coal or coke in carload lots, or in greater quantities, shall be deemed a wholesale dealer, and shall pay a license tax of, per annum,..... 75.00
NOT PRORATED.
PROVIDED, that if such wholesale dealer shall also sell coal or coke in less than carload lots, he shall not be subject to the retailers license tax provided in sub-section (b) hereof.
(b) Retail- Every person, firm, or corporation, engaged in and conducting the business of selling coal or coke at retail shall pay for each place of business from which such coal or coke is sold or delivered, a license tax of, per annum, 75.00

COCA-COLA, BOTTLING WORKS, MANUFACTURERS OF.
See "Bottling Works".

COFFEE ROASTERS. Each person, firm, or corporation, engaged in operating one or more coffee roasting machines, shall pay a license tax of, per annum.. 25.00

COFFINS, CASKETS, DEALERS IN.
See "Caskets, Coffins, Dealers in".

COLD STORAGE WAREHOUSES. On each person, firm, or corporation operating a warehouse where cold storage is furnished for any purpose, per annum,,..... 150.00

COMMERCIAL AGENTS. Each, per annum,..... 50.00

COMMISSION BUYERS AND SELLERS. Every person, firm, or corporation who or which engages in the business of buying and/or selling on commission any cotton, grain, provisions, or other commodities, either for actual, spot, or instant delivery, shall pay a license tax of, per annum,..... 50.00

CONFECTIONERS. Every person, firm, or corporation operating a business where candies and/or fruits constitute the chief article of trade, shall pay a license tax of, per annum,..... 50.00

CONTRACTORS AND CONSTRUCTION COMPANIES.
(a) Building Contractors and Construction Companies - Every person who, as building contractor for a fixed price, commission, fee or wage, offers or bids to construct or to superintend the construction of any building, highway, street, sidewalk, bridge, culvert, sewer, water or draining system, electric or steam railway, reservoir or dam, hydraulic or power plant, transmission line or tower, excavation, or grading or other improvement or structure, or any part thereof, shall pay a license tax of, per annum, ..... 10.00

(b) Electrical Contractors - Every electrical contractor holding a certificate A, and engaged in the business of wiring houses with electrical wiring or installing electrical apparatus of any kind, shall pay a license tax as follows:

| | |
|---|---|
| If not more than three certified electricians are employed, per annum,..... | 20.00 |
| If more than three and less than six certified electricians are employed, per annum,..... | 50.00 |
| If six or more certified electricians are employed, per annum,..... | 100.00 |

(c) Heating, Plumbing, Steam, Gas, Sprinkler and other Pipe Fitting Contractors- Every person engaged in business as a heating, plumbing, steam, gas, sprinkler, or other pipe fitting contractor, shall pay a license tax as follows:

| | |
|---|---|
| If not more than three journeymen plumbers or fitters are employed, per annum,..... | 20.00 |
| If more than three and less than six journeymen plumbers or fitters are employed, per annum,..... | 50.00 |
| If more than six journeymen plumbers or fitters are employed, per annum,..... | 100.00 |

(d) Painting Contractors and Itinerant Smoke Stack and Structural Steel Painters; Every person engaged in business as a painting contractor shall pay a license tax of, per annum,..... $ 25.00
PROVIDED, however, that itinerant smoke stack and structural steel painters shall pay a license tax of:
Per annum,..... 15.00
Per month,..... 2.50

(e) Plastering Contractors - Every person engaged in business as a plastering contractor shall pay a license tax of, per annum,..... 25.00

(f) Sheet Metal, Tinning, Roofing, or Ventilating Contractors - Every person engaged in business as a roofing, sheet metal, tinning, ventilating contractor, or operating a tin shop, shall pay a license tax as follows:
If nor more than three persons are employed, per annum, 25.00
If more than three and less than six persons are employed, per annum,..... 50.00
If six or more persons are employed, per annum,..... 100.00
PROVIDED, that suxh tax shall not apply to any person paying the tax prescribed by subsection (c) of this Section, for heating, plumbing, or steam fitting contractors.

(g) Wrecking Contractors - Every person making any contract to demolish, wreck, or tear down any house or building, and every person engaged in the business of demolishing, wrecking, or tearing down houses or buildings, shall pay a license tax of, per annum,..... 25.00

(h) Contractors, Miscellaneous - Every person, engaged in business as contractor and not otherwise specifically taxed by this article, shall pay a license tax of, per annum,..... 15.00

COTTON BROKERS.
See "Brokers, Cotton".

COTTON MILLS. Every person, firm, or corporation, operating a cotton mill, shall pay a license tax of, per annum,..... 150.00

COUPON BOOKS. Every person, firm, or corporation issuing selling and/or delivering books or other similar devices containg coupons or tokens of trade which may be presented at any business house and accepted as a discount, bonus, peemium, or as an instrument to secure trade or patronage, shall pay a license tax of, per annum.. 250.00

CREAMERIES, DAIRIES, AND MILK PASTEURIZERS.
(a) Each establishment shall pay a license tax of, per annum,.... 200.00
(b) On each motor vehicle hauling or delivering milk products, at retail or wholesale, a license tax shall be paid of, per annum. 15.00
(c) On each horse-drawn vehicle, a license tax shall be paid of, per annum,..... 7.50
PROVIDED, that where the $200.00 license is paid, under sub-section (a), the taxes under sub-sections (b) and (c) are not collectable.

"D"

DANCES. Every person, firm, or corporation, operating a dance hall where admission is charged, or where a charge per dance is made, in the city of Asheville shall pay a license tax of, per annum,..... 50.00
Where the annual license tax is not paid, per dance, 10.00

DECORATORS. Every person, firm, or corporation, placing decorations or buntings on buildings, streets, or other places, for hire, shall pay a license tax of:
Resident,..... 25.00
Itinerant,..... 100.00
NOT PRORATED.

DECORATORS, INTERIOR
See "Interior Decorators".

DELICATESSENS. Every person, firm, or corporation, operating a delicatessen stand whether in connection with a restaurant or not, shall pay a license tax of, per annum,..... 25.00

DELIVERY AGENCIES. Parcel or delivery companies shall pay a license tax of, each per annum,..... 100.00
PROVIDED, however, that persons, firms, or corporations delivering packages, parcels, or bundles, and charging for such service, not using an automobile, and using less than motorcycles, shall pay a license tax of, per annum,..... 25.00

DENTAL SUPPLIES OR EQUIPMENT. Every person, firm, or corporation, selling, distributing and/or jobbing dental supplies, shall pay a license tax of, per annum 50.00
PROVIDED, however, that the provisions of this Section shall not apply to licensed drug stores, or licensed dentists.

DENTISTS.
Exempt by State Statutes.

DETECTIVE AGENCIES. Each, per annum,..... 50.00
Each employee of any agency,..... 10.00



DEVICES, TRADING STAMPS, ETC. On every person, firm, or corporation engaged in the business of issuing, selling, and/or delivering trading stamps or checks, receipts, certificates, tokens, or other similar devices, or persons engaged in trade or business with the understanding or agreement expressed or implied that the same shall be presented or given by the latter to their patrons as a discount, bonus, premium, or as an inducement to secure trade or patronage, and that the person, firm, or corporation selling and/or delivering the same will give to the persons presenting or promising the same, money or thing of value, or any commission or preference in any way on account of possession or presentation thereof, license tax of, per annum.. $ 200.00

(a) This Section shall not be construed to apply to a manufacturer or to a merchant who sells the goods, wares, or merchandise of such manufacturer offering to present to the purchaser or customer a gift of certain value as an inducement to purchase such goods, wares, or merchandise.

DIRECTORIES. Every person, firm, or corporation compiling, selling or delivering city directories, shall pay a license tax of, each, per annum,..... 50.00

DOGS. Each, per annum, (male and spaded female) 1.00
Each, per annum, (female), 3.00
More than one dog, each additional, 5.00
Three dogs or more, see "Kennells"

PROVIDED, that any dog caught on the streets in the city of Asheville shall be impounded and a fee of one dollar per day shall be paid by the owner or anyone wishing to release the dog, and if the dog is not called for within five days, the owner shall have no claim.

Any dog catcher disposing of any dog except through the provision of law, shall be guilty of a misdemeanor upon conviction.

DOUGHNUTS. All Brown Bobby or doughnut machines, each per annum. 10.00

DRAYS, TRUCKS, MOVING VANS, TRANSFER COMPANIES, ETC.
See "Motor Vehicles for Hire".

DRUG STORE LUNCHES.
See "Restaurants".

DYERS AND CLEANERS OF HATS.
See "Cleaners of Hats".

DYERS. Every person, firm, or corporation, engaged in the business of dying any rug, carpet, or wearing apparel, shall pay a license tax of, per annum 35.00

"E"

ELECTRICAL ENGINEERS.
Exempt by State Statutes.

ELECTRICAL EQUIPMENT, FIXTURES, OR SUPPLIES. Every person, firm, or corporation selling or distributing any electrical equipment, supplies, or fixtures, where 75 percent of the business done is electrical equipment, fixtures, or supplies, shall pay a license tax of, per annum,..... 25.00
Where less than 75 percent of the business done is electrical equipment, fixtures, or supplies, a tax of, per annum,..... 10.00

ELECTRICAL CONTRACTORS, PLUMBERS, STEAM AND GAS FITTERS. Every person, firm, or corporation, engaged in the business of electrician, plumber, steam, or gas fitter, for installing electrical equipment, or offering to perform such services, shapp pay the following tax, per annum:
Employing three persons or less,..... 20.00
Employing more than three persons and less than six,. 50.00
Employing six persons or more,..... 100.00
PROVIDED, where any person, firm, or corporation, accepting jobs as repairing elevators, shall pay a license tax of, per annum,..... 50.00

ELECTRIC LIGHT COMPANIES. On every electric light company, power company, gas company, or street railway company doing business or having an office within the city, an annual tax of one percent on the gross receipts of its said business.

ELECTRIC SIGNS. Every person, firm, or corporation selling, making, or distributing electric signs, shall pay a license tax of, per annum,..... 25.00

ELEVATORS. Every person, firm, or corporation engaged in the busines of selling or repairing or servicing or equipping or installing elevators, shall pay a license tax of, per annum,..... 150.00

ENGINEERS.
Exempt by State Statutes.

EMPLOYMENT AGENTS AND AGENCIES.
(a) Emigrant Agents - Every emigrant agent or person engaged in the business of procuring laborers for employment outside of Buncombe County, shall pay a license tax of, per annum,..... 500.00
NOT PRORATED.

PROVIDED, that such tax shall not apply to any resident person for taking laborers to some place outside of Buncombe County for the purpose of using them for his own employment.
(b) Employment Agencies - Every person engaged in the business of operating any agency for employing cooks, house servants, office held, teachers, laborers, or persons, for any employment whatsoever, and making a charge for the services rendered, shall pay a license tax of, per annum,..... $ 50.00
NOT PRORATED.

ENGINEERS, CIVIL
Exempt by State Statutes.

ENGRAVING OR LITHOGRAPHING ESTABLISHMENTS OR SHOPS, each, per annum, 25.00

ENTERTAINMENTS, OPERAS, CHAUTAUQUAS, STAR COURSES, OR THEATRICAL TROUPES. Such as usually appear in licensed halls, tents, or theatres, employed by or for charitable, religious, benovolent, or educational purposes, shall pay a license tax of, for each day or part of day's exhibition, or performances,..... 25.00

PROVIDED, however, that if such chautauqua, opera, star course, theatrical troupe, or entertainment, shall obtain a State License Tax as provuded under Section 103, Subsection G of 1931 Revenue Act, shall pay a license tax of, for each week or part thereof $20.00

EXPLOSIVES. Every person, firm, or corporation, selling and/or distributing dynamite, powder, or other explosives, shall pay a license tax of, per annum 100.00

EXPRESS COMPANIES.
(a) Every person, firm, or corporation, domestic or foreign, engaged in the business of an express company, as defined in the 1931 Revenue Act, shall pay for the privilege of doing business within the municipal limits, a license tax of, per annum, 75.00

(b) Every person, firm, or corporation, hauling or delivering express within the corporate limits of the City of Asheville, shall pay an annual license tax as follows:
On each motor vehicle of one tone capacity or less, 25.00
On each motor vehicle of more than one ton capacity and not more than two,..... 35.00
On each motor vehicle over two ton capacity,..... 40.00

EXHIBITIONS OR EXHIBITS NOT SPECIFICALLY TAXED HEREIN. per day 7.50

"F"

FACTORIES, BARREL, CRATE, BASKET.
See "Barrel Factories".

FACTORIES, BOX.
See "Box Factories".

FARM PRODUCTS.
See "Produce and Fruits".

FEATHER RENOVATORS. Each, per annum,..... 25.00

FERRIS WHEELS.
See "Riding Devices".

FERTILIZER DEALERS. Each person, firm, or corporation, or their agents, selling, delivering, or distributing fertilizer, shall pay a license tax of, each per annum,..... 50.00
Mixers or manufacturers of fertilizer shall pay a license tax of, per annum,..... 150.00
PROVIDED, however, only the latter shall be collected from a manufacturer who is also a dealer.

FILLING STATIONS.
See "Automobile Service Stations".

FIRE INSURANCE COMPANIES.
Exempt by State Statutes.

FILMS, MANUFACTURERS, SELLING OR LEASING.
Exempt by State Statutes.

FIREWORKS. Every person, firm, or corporation engaged in the business of selling or offering for sale cap pistols, fire crackers, fire works, or other articles of like kind, shall pay a license tax of, per annum,..... 100.00

FISH, ORNAMENTAL. Every person, firm, or corporation, selling gold, silver, or other ornamental fish, alive, for use in an aquarium, bowls, orother ornamental purposes, shall pay a license tax of, per annum,..... 10.00
This tax shall not be collected when a pet shop license is obtained.

FISH, PEDDLERS OF.
Prohibited.



FISH AND OYSTER DEALERS. Each, per annum,..... $ 25.00
PROVIDED, that all dealers in fish and oysters shall secure a permit from the Health Officer.

FIVE AND TEN CENT STORES. Every person, firm, or corporation, engaged in the operation of a business commonly known anddesignated as a "Five and ten cent store", or where the majority of the articles of merchandise are offered for sale and are priced at less than one dollar, shall pay a license tax of, per annum,..... 250.00
Where this tax of $250.00 is paid, taxes on individual items shall not be collectable.

FLAGS, ITINERANTS SELLING.
See "Balloons".

FLOOR FINISHERS. Floor finishers using electrically operated machinery shall pay a license tax of, per annum,..... 25.00

FLORISTS. On every person, firm, or corporation, operating or maintaining a shop or store for the sale of flowers or ornamental plants, a license tax shall be paid of,
per annum,..... 50.00
On every person, firm, or corporation, operating or maintaining a wagon or truck for the sale of flowers or ornamental plants on thestreets of the city, and not paying the foregoing tax, on each truck or wagon, shall be paid a license tax of,
per annum,..... 25.00

On every person selling flowers, or ornamental plants, or Christmas trees, shall be paid a license tax of, per annum,..... 7.50
The foregoing tax shall not be prorated.

Sale of flowers and ornamental plants on sidewalks and streets hereinafter anumerated expressly PROHIBITED: On Pack Square, Patton Avenue from Pack Square to Coxe Street; Haywood Street from Patton Avenue to south property line of Municipal Auditorium, West College Street, from Haywood Street to North Lexington Avenue; Government Street, Wall Street, and Battery Park Place.

FLOUR OR GRIST MILLS. On each and every person operating a flour or grist mill, a license tax shall be paid of, per annum,..... 50.00

FLYING-JENNY OR MERRY-GO-ROUND.
See "Riding Devices".

FOUNDARIES AND MACHINE SHOPS. Each, per annum,..... 50.00
Foundaries or machine shops buying or selling old scrap brass, copper, or lead, are hereby required to keep the same records as are required of junk dealers.

FOUNTAINS, SODA. Every person, firm, or corporation, engaged in the business of operating a soda fountain, shall pay a license tax of, per annum,..... 10.00

FRANCHISE, SPECIAL
See "Automobile Service Stations on Sidewalks or Streets".

FRATERNAL INSURANCE ORDERS.
Exempt by State Statutes.

FRUIT PEDDLERS.
See "Farm Products".

FRUITS AND CONFECTIONARY DEALERS.
See "Confectionaries".

FRUIT AND PRODUCE.
See "Produce and Fruit".

FRUIT STANDS. When the principal articles of sale are fruits and/or vegetables, a license tax shall be paid of, per annum,..... 25.00

FUR CLOTHING DEALERS. Every person, firm, or corporation, selling either fur coats, chokers, fur scarfs, or other articles made in whole or in part out of fur, where 75 percent of the gross sales or stock of merchandise carried consists of fur articles, shall pay a license tax of, per annum,..... 50.00

FURS (HIDES EXCEPTED). Dealers in green or raw furs, each, per annum, 100.00

FURNACES, DEALERS IN. Every person, firm, or corporation, selling, distributing, or repairing furnaces, or boilers only, shall pay a license tax of, per annum,... 50.00

FURNITURE STORES. Every person, firm, or corporation, selling furniture, new or second-hand, at retail, shall pay a license tax of, per annum,..... 25.00
At wholesale, per annum,..... 150.00
Every person, firm, or corporation buying or exchanging used furniture, shall before beginning business, secure a permit from the Health Officer.

"G"

GALLERIES, SHOOTING. Each, per annum,..... $ 20.00

GAMES. Games for sport or play, including boxing and wrestling matches, operated for profit, not herein specifically licensed, each exhibition, or gam 15.00
NOT PRORATED.
The foregoing shall not be collected from interscholastic or intercollegiate athletic contests, or baseball games.

GAS COMPANIES
See "Electric Ligh Companies".

GASOLINE DISTRIBUTORS.
(a) Every person, firm, or corporation, engaged in the business of selling illuminating or lubricating oils, greases, or benzine, naptha, gasoline, or other products of like kind, duly licensed under the provisions of Section 137 of the 1931 Revenue Act, shall pay a license of, per annum,..... 50.00

(b) Those not licensed under the provisionsof this Section 137 of the 1931 Revenue Act, shall pay a license of, per annum,..... 30.00

GASOLINE OR OIL PIPE LINES-ANNUAL. Laid in or across any public street, sidewalk, or alley, a tax of ten cents per lineal foot of such pipe line. Provided, however, that no such pipe line shall be paid without first obtaining a license or permit by the City Manager, which license or permit may be granted or refused in the discretion of the Council, in the interest of Public Safety or convenience.

GIFT ENTERPRISES (ITINERANT).
See "Enterprises".

GINGERALE-BOTTLING OR WHOLESALE DEALERS.
See "Bottling Works".

GLASS. Every person, firm, or corporation, selling or distributing glass, shall pay a license of:
At wholesale, per annum,..... 100.00
At retail, per annum,..... 50.00
The foregoing retail tax is not collectable where building material tax is paid.

GOLF-MINIATURE. Per annum,..... 35.00

GOODS, WARES, AND MERCHANDISE - PEDDLING OF.
(a) Any person, firm, or corporation who or which shall carry from place to place any goods, wares, or merchandise, and offer to sell or barter the same, or actually sells or barters the same to other than merchants, dealers, or those regularly engaged in the mercentile business, shall be deemed a peddler, and shall pay the following tax:
1. Peddling on foot, per annum..... 25.00
2. Peddling with horse or other animal, and with or without vehicle, for each vehicle, per annum,.... 75.00
3. Peddling with motor vehicle, for each vehicle, per annum,..... 100.00

(b) Every person, firm, or corporation who or which shall carry from place to place for sale or exchange any patent, proprietary, or domestic medicines, salves, liniments or compounds of a similar kind, or any spices, extracts, or toilet articles, or articles of like kind, shall pay a license tax of, per annum,..... 100.00

(c) Not Regular Merchants - Every itinerant salesman or merchant who shall expose for sale, either on the street or in a house rented temporarily for that purpose, any goods, wares, or merchandise, bakrupt stock, or fire stock, not being a regular merchant in the city of Asheville, shall pay a license tax of, per annum,.... 100.00

(d) All persons who do not keep a regular place of business, open at all times in regular business hours, and at the same place, who are engaged in the business of offering for sale any goods, wares, merchandise, to other than merchants or dealers, or thos regularly engaged in mercantile business, and all persons who keep a regular place of business, open at all times in regular business hours and at the sameplace, but who, elsewhere than at such regular place of business, personally, or through their agents, offer for sale, or sell, and at the time of such offering for sale, deliver goods, wares and merchandise to other than merchants, dealers, or those regularly engaged in the mercantile business, shall pay a license tax of, per annum $100.00

PROVIDED, however, that the provisions of this section shall not apply to any person, firm, or corporation, who sells or offers for sale books, periodicals, printed music, ice, coal, wood for fuel, fish, beef, mutton, pork, vegetables, fruits, bread, cakes, pies, products of the dairy or farm, produced in this State, or articles of their own individual manufacture made in this State, but shall apply to medicines, drugs, or articles assembled, and to persons who are non-residents of the State.

(e) EXEMPTIONS. Whenever the Board of Commissioners of Buncombe County, upon proper application, exempts from the provisions of this section Confederate soldiers, disabled veterans of the Spanish-American War, disabled soldiers of the World War who have been bona fide residents of this State for twelve or more months continuously or who entered the service from this State, and the blind who have been bona fide residents of this State for twelve or more months continuously; and when so exempted, such persons present to the Tax Collector of the City a certified copy of such exemption by the Board of County Commissioners of Buncombe County, together with the State-wide license issued to such person or persons under the provisions of Section 131 of the 1931 Revenue Act, such



person shall be exempt from payment of license tax but such exemption shall not authorize or permit such person to sell any goods, wares, or merchandise anywhere the same is restricted or prohibited within the City of Asheville, and does not authorize and permit the use of any free show, ballyhoo, or other attraction by whatsoever name called, anywhere within the corporate limits of the City of Asheville, by reason of such exemption.

GRADING, PAVING, SIDEWALKS, SEWERS, OR STORM SEWERS.
See "Contractors and Construction Companies".

GRAPHAPHONES, PHONOGRAPHS, OR TALKING MACHINES. Every person, firm, or corporation, selling phonographs, graphaphones, victrolas, or other instruments using disks or cylinder records, shall pay a license tax of, per annum,..... $ 15.00

GRAVEL.
See "Building Materials".

GUN AND LOCK SMITHS. Each, per annum,..... 10.00

GYPSIES, AND FORTUNE TELLERS. Prohibited.

"H"

HAIR DRESSERS.
See "Dressers of Hair".

HARNESS OR SHOE REPAIRERS OR MANUFACTURERS.
Each Itinerant, ..... 100.00
Each resident employing no workmen,..... 5.00
Each resident employing one workmen,..... 7.00
Each resident employing two workmen,..... 9.00
Each resident employing three workmen,..... 15.00
Each resident employing four workmen,..... 24.00
Each resident employing five or more workmen,..... 35.00

HAT CLEANERS OR DYERS.
See "Cleaners and Dyers of Hats".

HEALING-PROFESSIONAL ART.
Exempt by State Statutes.

HIDE DEALERS. Each, per annum,..... 150.00

HORSES, MULES, AND PONIES - DEALERS IN. Every person, firm, or corporation engaged in the business of buying and selling horses and/or mules, and/or ponies, shall pay a license tax of, per annum,..... 25.00
(a) Itinerants shall pay a license tax of, per annum,..... 100.00
This tax shall be a privilege for buying and/or selling one carload, and for each additional carload an additional tax of, per car purchased,..... 50.00

HOSPITAL SUPPLIES - DEALERS IN. Every person, firm, or corporation, engaged in the business of selling or distributing hospital supplies, shall pay a license tax of, per annum,..... 50.00
PROVIDED, however, the tax shall not be collected from persons, firm, or corporations operating a drug store.

HOTELS AND BOARDING HOUSES. Every person, firm, or corporation, engaged in the operation of any hotel or boarding house, shall pay the following tax per annum:
(a) American Plan. For hotels or boarding houses operating on the American Plan, for rooms in which rates per day are:
$1.00 and less than $2.00, .12½
$2.00 and less than $3.00 .45
$3.00 and less than $4.50 .50
$4.50 and less than $6.00 .75
$6.00 and less than $7.50 1.00
$7.50 and less than $15.00 1.50
Over $15.00 2.00
(b) European Plan. For hotels or boarding houses operating on the European Plan, for rooms in which rates per day are:
$1.00 and less than $2.00 .45
$2.00 and less than $4.50 .75
$4.50 and less than $6.00 1.50
$6.00 and less than $7.50 2.00
$7.50 and less than $10.00 2.50
Over $10.00 3.00
PROVIDED, however, the office, dining room, kitchen, and two other rooms shall not be counted when calculating the number of rooms in the hotel.
The tax provided for in this section shall apply whether the business is made up daily, weekly, or monthly rates, but shall not apply to boarding houses charging less than $12.00 per week.

HOTEL AND RESTAURANT EQULPMENT- DEALERS IN. Every person, firm, or corporation engaged in the business of selling or distributing equipment for hotels or restaurants, whether for the culinary or other departments, shall pay a license tax of, per annum, $100.00

HOUSE MOVING.
See Regulations, Section 4-(7), 15.00

HYPNOTISTS.
Prohibited.

"I"

ICE CREAM- ITINERANTS SELLING.
See "Balloons". NOT PRORATED.

ICE CREAM- RETAIL MANUFACTURERS OR WHOLESALE DEALERS.
(a) Each retail dealer, per annum,..... $ 2.50
PROVIDED, that a retail tax shall not be collected from restaurants or drug stores who have paid the prescribed tax.
(b) Every person, firm, or corporation engaged in the business of manufacturing or distributing ice cream at wholesale, shall apply for and obtain from the Director of Finance for each place of business where manufactured and/or stores for distribution, a license tax of, per annum,..... 12.50
and an additional tax of one-eights of a cent for each gallon manufactured, sold and/or distributed. Reports shall be made to the Director of Finance in sudh form as he may prescribe within the first ten days of each month, covering all such gross sales for the previous month, andthe additional tax herein levied shall be paid monthly at the time such reports are made. For the purpose of this section, the words "ice cream" shall apply to ice cream, frozen custards, sherbets, water ices and/or similar frozen products.
(c) Ice cream peddlers outside of fire limits, shall pay each a license tax of, per annum,..... 100.00
License issued subject to approval and supervision of the Health Department, and before party making application can be granted a license, it will benecessary to have a written statement from the Health Officer that the proposed method of handling ice cream is approved by him.

ICE DELIVERY SERVICE. Per vehicle..... 10.00

ICE MANUFACTURERS OR DEALERS.
(a) Any person, firm, or corporation, manufacturing ice, shall pay a license tax of, per annum,..... 300.00
(b) On each retail depot a license tax shall be paid of, per annum 50.00
(c) Peddlers. On each person, firm, or corporation, retailing ice not manufactured in the City of Asheville, a license tax shall be paid of:

| | |
|---|---|
| On each one-ton truck or less | 75.00 |
| On each truck over one-ton | 100.00 |
| On each two-horse wagon | 50.00 |
| On each one-horse wagon | 25.00 |

NOT PRORATED.

INSURANCE AGENTS.
Exempt by State Statutes.

INSURANCE- FIRE COMPANIES.
Exempt by State Statutes.

INSURANCE- FIRE ADJUSTERS.
Exempt by State Statutes.

INSURANCE- FRATERNAL ORDERS.
Exempt by State Statutes.

INTERIOR DECORATING AND WALL PAPER HANGING. Every person engaged in the business of paper hanging or engaged in the business of interior decorating shall pay a license tax as follows:

| | |
|---|---|
| Wall paper hanging, per annum..... | 25.00 |
| Interior Decorating, per annum..... | 25.00 |

Interior decorating does not include paintingor wall paper hanging.

"J"

JEWELRY. Every person, firm, or corporation, operating a jewelry store or shop, shall pay a license tax of, per annum,..... 50.00

JEWELRY STANDS. Every person, firm, or corporation, making key rings, tags, etc., in any place other than a building occupied for such purpose, shall pay a license tax of, per day..... 10.00
NOT PRORATED.
PROVIDED, that no person shall beallowed to make jewelry, key rings, tags, and trinkets upon public property or on the streets, sidewalks, or alley-ways ofthe city.

JEWELRY SHOPS (OR WATCHMAKERS) Every person, firm, or corporation operating a jewelry or watch repair shop, shall pay a license tax of, per annum (one man shop) 5.00
PROVIDED, that where a jewelry shop or store pays a jewelry tax, no tax shall be collected hereunder.

JUNK DEALERS. Every person, firm, or corporation, buying or selling junk, shall pay a license tax of, on eachplace of business:

| | |
|---|---|
| Per annum,..... | 250.00 |
| Each wagon or truck collecting junk, per annum | 50.00 |

Any person, firm, or corporation, desiring a license herunder, must first make application in person to the City Manager, and will be required to furnish a justified bond in the sum of $1,000., conditioned according to the city ordinance applicable thereto.



"K"

KENNELS - DOG. Per annum,..... $ 100.00
The keeping of three or more dogs on the same premises shall constitute the keeping of a dog kennel.

KNIFE OR CANE RACKS.
See "Cane Racks".

KNIVES. See "Bowie Knives".

KNUCKLES - BRASS.
See "Bowie Knives".

"L"

LABOR AGENTS- EMIGRATION.
(a) Every person, firm, or corporation, either as agent or principal, engaged in soliciting, hiring, and/or contracting with laborers, male or female, in this State, for employment out of the State, shall pay a license tax of, per annum..... 500.00
(b) Every person, firm, or corporation, who or which engages in the business of securing employment for a person or persons and charging therefor a fee, commission, or other compensation, shall pay a license tax of, per annum..... 500.00
PROVIDED, however, that this section shall not apply to any employment agency operated by the Federal Government, the State, or any county or municipality whose sole business is procuring employees for work in the harvesting of farm crops within the State of North Carolina.

LANDSCAPE GARDENER OR CONTRACTOR.

| | |
|---|---|
| Annual gross business not over $5,000.00,..... | 25.00 |
| $5,000 to $25,000 | 50.00 |
| Over $25,000., | 75.00 |

LAUNDRIES Every person, firm, or corporation, engaged in the business of operating a laundry, including wet and/or dampt wash laundries, where steam, electricity, or other powe is used, shall pay a license tax of:

| | |
|---|---|
| Per annum ..... | 50.00 |
| Hand Laundries ,..... | 50.00 |

PROVIDED, however, that this section shall not apply to washerwomen.

LAUNDRY AGENCIES. Each, per annum,..... 500.00

LAWYERS
Exempt by State Statute.

LEASING OR SELLING FILMS.
Exempt by State Statutes.

LECTURERS, PROFESSIONAL. Each lecture where admission is charged, except where solely for charitable, religious, or educational purposes, 50.00

LEMONADE-ITINERANT.
See "Balloons".

LEMONADE STANDS.
On public occasions, same as "Soft Drink Stands".

LIFTING MACHINES, BLOWING MACHINES. Each, per day,..... 50.00

LIGHTNING ROD AGENTS. Each lightning rod dealer having a general office or selling for a receiving point, shall pay a license tax of, per annum 20.00
On each manufacturer or dealer, whether person, firm, or corporation, selling or offering for sale any brand of lightning rod not having a general office or selling from a receiving point,..... 100.00

LINEN SERVICE. Every person, firm, or corporation renting or clothing towels or other linen for a rental or on a fee basis, shall pay a license tax of, per annum,..... 40.00

LIVERY STABLES. On every person, firm, or corporation who keeps horses or mules to hire or let, with or without vehicles, or run a hitch and feed stable, a license tax shall be paid of, per annum,..... 10.00

LUBRICANTS, OIL, ETC. - DEALERS IN.
See "Oils and Gasoline".

LUGGAGE.
(a) Each and every person, firm, or corporation where 75 percent of the gross sales or stock of merchandise carried is luggage, shall pay a license tax of, per annum 25.00
(b) Each and every person, firm, or corporation, selling luggage and where twenty-five (25%) percent of the sales or stock of merchandise does not consist of luggage, shall pay a license tax of, per annum,..... 5.00

LUMBER- BROKERS ONLY. Each, per annum,..... 25.00

LUMBER DEALERS.
See "Building Materials".

LUNCHES - DRUG STORES.
See "Drug Stores" also "Restaurants".

LUNCH ROOMS AND RESTAURANTS.
See "Restaurants".

LUNCHES - ITINERANTS SELLING.
See "Hawkers".

LYCEUM BUREAUS AND CHAUTAUQUA BUREAUS. Each, per annum,..... $ 25.00

"M"

MACHINE SHOPS. Each, per annum,..... 25.00

MACHINE, SLOT - OR SLOT LOCKS.
(a) Every person, firm, or corporation, engaged in operating within the city of Asheville any slot machine wherein is kept any article to bepurchased by depositing any coin or thing of value, or for which may be had any article of merchandise, or any machine wherein may be seen any picture or heard any music by depositing therein any coin or thing of value or any slot weighing machine, or any machine for making stencils by the use of contrivance operated by depositing in the machine any coin or thing of value, or where any game is played or any lock operated by slot wherein money or thing of value is to be deposited, shall pay for each machine or lock, the following license tax, per annum:

| | |
|---|---|
| Any such machine that requires a deposit of not more than one cent | 2.50 |
| Any such machine that requires a deposit of more than one cent and not more than five cents | 5.00 |
| Any such machine that requires a deposit of more than five cents and not more than ten cents | 10.00 |
| Any such machine that requires a deposit of more than ten cents and nor more than twenty cents | 20.00 |
| Any such machine that requires a deposit of more than twenty cents | 30.00 |

NOT PRORATED.
PROHIBITED, however, that this section shall not apply to machines owned and operated by any retail merchant in his own place of business for delivering merchandise of the market value of the coin deposited; nor shall it apply to a slot machine from which drinking cups are delivered at not more than one cent per cup.
PROHIBITED, further, that no slot machine or slot lock shall be operated until the license tax is paid thereon and the Tax Collector is hereby authorized to presume that the operation of such machine or apparatus is lawful and when the municipal license has been issued for the operation thereof, the sum paid for such municipal license shall not be refunded, notwithstanding that the operation of such machine or apparatus shall afterwards be prohibited.

The operator or owner of each and every slot machine or slot lock shall keep posted in a conspicuous place on the front of such machine, or in a conspicuous place near such machine or slot lock the tax receipt issued for such machine or slot lock.

MAKERS OF BONDS.
See "Bond Makers".

MANIFOLDISTS.

| | |
|---|---|
| Resident, per annum,..... | 5.00 |
| Itinerant, per annum,..... | 50.00 |

MANUFACTURERS- MISCELLANEOUS. Every person engaged in the business of manufacturing any product not taxed under this Schedule, shall pay a license tax, of, per annum,..... 50.00

MASSAGE ESTABLISHMENTS.

| | |
|---|---|
| Each, per annum,..... | 50.00 |
| Itinerant, per day,..... | 5.00 |

MATCHES, WRESTLING.
See "Wrestling and Boxing".

MATTRESS FACTORIES OR RENOVATORS. Each, per annum,..... 50.00

MEATS.
(a) Every person, firm, or corporation engaged in the operation of a meat market shall pay the tax in accordance with the classification hereinafter set forth:
CLASS A.
Meat markets selling 500 pounds or less of fresh meats per week each, per annum,..... 35.00
CLASS B.
Meat markets selling 500 pounds of fresh meats per week, each per annum,..... 60.00
PROVIDED, that such license tax shall be paid for each meat market operated within the corporate limits of the City of Asheville.
(b) Every person, firm, or corporation engaged in the wholesale distribution or sale of fresh or cured meats,..... 50.00
(c) Every person, firm, or corporation storing, jobbing, or selling meats of any kind from warehouse within the city limits,..... 150.00



PROVIDED, that the provisions of this section shall not apply to persons, firms, or corporations who have paid the tax levied on packing houses.
NOTE: Meat not having been salted longer than 20 days shall be considered fresh meat, and the license shall be collected as itemized on retail and wholesale dealers of fresh meats.
PROVIDED, that from and after the passage of this ordinance it shall be unlawful for any person, firm, or corporation to operate a meat market without first obtaining a meat market permit from the Health Officer which must be in force during period of operation and a copy of the same must be conspicuously posted at all times within the said market so as to be plainly visible to all customers who may patronize such market.

PROVIDED, further, that the Director of Finance may require at any time an affidavit from the operator of any meat market as to the amount of meat sales he has made during any week, during the tax year, and if during any week of the tax year a meat market in Class A sells more than 500 pounds of meat, then said Class A meat market shall be rated as Class B, and shall be liable for tax in accordance with Class B. Schedule.

MEAT DISTRIBUTORS. Every person, firm or corporation, distributing and delivering meat at wholesale, shall pay a license tax of, per annum,..... $ 250.00
PROVIDED, the provisions of this section shall not apply to persons, firms, or corporations, paying packing house license.

MEDICINE SELLERS OR VENDORS.
See "Goods, Wares, and Merchandise".
Free shows in connection with the selling of medicines or other merchandise in other than licensed theatres or moving picture shows, prohibited within the corporate limits of the city of Asheville.

MENAGERIES.
See "Circuses".

MERCHANTS- ITINERANT. Itinerant or salesman selling as proprietor or agent in any lot or in a storeroom, goods, wares, or merchandise, on which an itinerant or other tax is not herein specifically imposed, shall pay a license tax of, per annum,.... 100.00
NOT PRORATED.
PROVIDED, that all such sales on any street, square, alley, or other municipal property is expressly prohibited.
Itinerant merchants, dealers, or proprietors, or agents selling bankrupt or fire sales, or any kind of goods, wares, or merchandise, shall pay a license tax of per week..... 100.00
PROVIDED, however, that no tax shall be collected from trustee or officers of a Bankruptcy Court making sales under Order of Court.

MERCHANTS- PEDDLING.
See "Goods, Wares, and Merchandise".

MERCHANTS - TAILORS.

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|---|---|
| Employing two helpers or less, per annum,..... | 10.00 |
| Employing over two helpers, per annum,..... | 25.00 |

MERCHANTS AND STOCK BROKERS.
See "Brokers".

MERRY-GO-ROUND OR FLYING JENNY.
See "Riding Devices".

METAL WORKING ESTABLISHMENTS OR TIN SHOPS.
See "Establishments - Sheet Metal".

METALLIC, BRASS, OR IRON KNUCKLES.
See "Bowie Knives".

METALLIC CARTRIDGES.
See "Cartridges - Metallic".

MILK PASTEURIZERS AND CREAMERIES.
See "Creameries and Dairies".

MILL SUPPLIES. Every person, firm, or corporation, selling or distributing mill or factory supplies, shall pay a license tax of, per annum,..... 100.00

MILLINERY MERCHANTS. Every person, firm, or corporation, selling millinery, exclusively, shall pay a license tax of, per annum,..... 10.00

MINSTREL SHOWS.
See "Pictures".

MONUMENTS OR TOMBSTONES- DEALERS IN. Every person, firm, or corporation engaged in the business of erecting, manufacturing, jobbing, selling, or offering for sale, monuments, marble tablets, grave stones, or articles of like kind, shall pay a license tax of, per annum,..... 50.00

MOP OR BROOM FACTORIES. Every person, firm or corporation manufacturing or assembling mops or brooms, shall pay a license tax of, per annum,..... 25.00

MOTORCYCLE DEALERS.
See "Automobiles, Motorcycles, Motor Vehicles Dealers in", and "Service Stations".

MOTOR VEHICLES FOR HIRE.

1. PASSENGER MOTOR VEHICLES. Every person, firm, or corporation, their lessees, trustees, or receivers, engaged in the business of keeping passenger automobiles or other passenger motor vehicles for hire and/or transportation of persons for compensation, shall first apply for and obtain from the City Manager a "For Hire" license tag for the privilege of engaging in such business, and shall pay for such license the following tax, per annum:

For each vehicles up to and including 7-passenger,.. $ 15.00
For each vehicles over 7-passenger,..... 20.00

PROVIDED, that this rate shall also apply to passenger motor vehicles operating under such where seventy-five per cent of the schedule operation is within the corporate limits of the City of Asheville. Where the corporate limits of one or more municipalities join, it shall be treated as one, for the purpose of administering this Section.

2. U-DRIVE-IT PASSENGER CARS AND MOTORCYCLES. Every person, firm or corporation, their lessees, trustees, or receivers, engaged in the business of keeping automobiles, other motor vehicles, or motorcycles, for rent or lease to others, for what is termed "U-DRIVE-IT" or "DRIVE-IT-YOURSELF" purposes, for the transportation of persons, shall apply for and obtain from the City Manager a "For Hire" license tag for each such vehicle or motorcycle, and shall pay for each such license, the following tax, per annum:

Motorcycles:
One-passenger capacity,..... 12.00
Two-passenger capacity,..... 15.00
Three-passenger capacity,..... 18.00
Automobiles:
For each vehicle up to and including 7-passenger 15.00
For each vehicle over 7-passenger..... 20.00

3. SIGHT-SEEING AND EXCURSION PASSENGER CARS. Every person, firm, or corporation their lessees, trustees, or receivers, engaging in the business of keeping automobiles for the purpose of transporting persons on sightseeing or travel tours, shall apply for and procure from the City Manager a "For Hire" license tag for the privilege of engaging in such business, and shall pay for such license, the following tax per annum:

On each vehicle up to and including 7-passenger..... 15.00
On each vehicle over 7-passenger,..... 20.00

4. SHORT HAUL TRUCKS. Every person, firm, or corporation, their lessees, trustees, or receivers, engaged in the business of keeping property-carry automobiles or other property-carrying motor vehicle, trucks, tractors, trailers, or semi-trailers for rent, lease, and/or hire, or operating motor vehicles, trucks, and/or tractors on call, pre-arrangement, contract, lease, or other agreement, or otherwise, for the transportation of property for compensation within a seventy-five (75) mile radius of residence, shall apply for and obtain from the City Manager a "For-Hire" license tag for the privilege of engaging in such business, and shall pay for such license, the following tax, per annum:

For each vehicle, per annum,..... 20.00
For each such motor-propelled vehicle, truck, tractor, trailer, or semi-trailer, per annum,..... 20.00

5. LONG HAUL TRUCK. Every person, firm, or corporation, their lessees, trustees, or receivers, engaged in the business of operating automobiles or other motor vehicles, trucks, tractors, trailers, or semi-trailers, for the inter-county transportation of property over the public highways of this state for compensation, or upon the call, pre-arrangement, contract, rent, lease, or other arrangement, shall apply for and procure from the City Manager a "For Hire" license tag for the privilege of engaging in such business and shall pay for such license the following tax:

For each vehicle, per annum,..... 20.00

MOVING, DEMOLISHING, OR WRECKING HOUSES OR OTHER STRUCTURES. Every person, firm, or corporation engaged in the business of moving, demolishing, or wrecking houses or other structures, shall pay a license tax of, per annum,..... 25.00

MOVING PICTURES OR VAUDEVILLE SHOWS. On each room, hall, rent, or air-dome used as a moving picture or vaudeville show, an annual license tax as follows shall be paid:

On each place having a seating capacity of less than 500..... 125.00
On each place having a seating capacity of 500 and less than 1,000..... 175.00
On each place having a seating capacity over 1,000 $12.00

PROVIDED, any moving picture show operating more than two (2) miles from the business center of the City of Asheville (for the purpose of this provision the term "business center" being defined as the intersection of the two principal business streets of the City of Asheville), the territory in which such moving picture show is located having been annexed to such city subsequent to January 1, 1923, the license tax shall be, per annum,..... 50.00

MOVING VANS, DRAYS, TRANSFER COMPANIES.
See "Motor Vehicles for Hire".

MULTIGRAPHS, MIMEOGRAPHS- DEALERS IN. Every person, firm, or corporation selling or distributing multigraph or mimeograph machines shall pay a license tax of, per annum,..... 25.00

MULTIGRAPH SHOPS. Every person, firm, or corporation multigraphing or mimeographing letters, advertisements or other documents for compensation, shall pay a license tax of, per annum,..... 25.00

MUSEUMS. Each, per week,..... 50.00



"N"

NEWS DEALERS ON TRAINS.
Exempt by State Statutes.

NEWSPAPERS.
On each daily published in the city, per annum $ 100.00
On each weekly published in the city, per annum 25.00
On each monthly published in the city, per annum 15.00

NEWSPAPER CONTESTS.
Exempt by State Statutes.

NEWS STANDS. Per annum,..... $ 1.50

NEWS STANDS ON STREETS OR SIDEWALKS.
Prohibited.

NEWSPAPER OR MAGAZINE DISTRIBUTORS. Per annum,..... $5.00

NURSERIES. Every person, firm, or corporation operating a nursery or selling or displaying for the purpose of advertisement or sale nursery products, shall pay a license tax of, per annum,..... $5.00

"O"

OCULISTS.
Exempt by State Statutes.

OFFICE EQUIPMENT. Every person, firm, or corporation, engaged in the business of selling office equipment or supplies, shall pay a license tax of, per annum $5.00

OILS AND GASOLINE. Every person, firm, or corporation, engaged in the business of selling illuminating or lubricating oils or greases or benzine, naptha, gasoline, or other products of like kind form an agency, station, or warehouse, for the distribution or sale of the aforementioned commodities as defined in Section 137 of the Revenue Act of 1931, shall pay a livense tax of, per annum,..... 50.00

OPERAS.
See "Chautauquas".

OPTICAL SUPPLIES. Every person, firm, or corporation, selling optical goods or supplies at wholesale, shall pay a license tax of, per annum,..... 150.00
PROVIDED, however, that the foregoing tax shall not be collected from duly licensed practicing physicians, optometrists, or oculists.

OPTICIANS.
Exempt by State Statutes.

OPTOMETRISTS.
Exempt by State Statutes.

ORDERS-FRATERNAL.
Exempt by State Statutes.

ORGANS, PIANOS AND PHONOGRAPHS. Every person, firm, or corporation, engaged in the business of selling, offering, or ordering for sale, any of the articles hereinafter enumerated, shall pay for the privilege of conducting such business a special license tax, per annum, as follows:
(a) Pianos and/or organs,..... $ 10.00
(b) Graphophones and/or victrolas, or other instruments using disc or cylinder records,..... 10.00
(c) Graphophones and/or victrola records or player-piano rolls only and not other articles enumerated in this section,..... 10.00
(d) Radio instruments and/or radio instrument accessories,..... 10.00

ORGAN AND PIANO TUNERS OR REPAIRERS.
Organ or piano tuners or repairers, per annum,..... $ 5.00
Itinerant, per annum,..... 50.00

ORIENTAL GOODS OR ANTIQUE FURNITURE.
See "Antique Furniture".

OSTEOPATHS.
Exempt by State Statutes.

OYSTER AND FISH DEALERS.
Each, per annum,..... 15.00

"P"

PACKING HOUSES. Every person, firm, or corporation engaged in or operating a meat packing house and every wholesale dealer in meat, packing house products who owns, leases, or rents and operates a cold storage warehouse in connection with such wholesale business, shall pay for each such packing house or cold storage warehouse a license tax of, per annum,..... $ 150.00

PAINTING CONTRACTORS.

| | |
|---|---|
| Painting contractors, resident, employing no workmen, each per annum,..... | 4.00 |
| Painting contractors, resident, employing one workman, each per annum,..... | 5.00 |
| Painting contractors, resident, employing two workmen, each per annum,..... | 6.00 |
| Painting contractors, resident, employing three workmen each per annum,..... | 7.00 |
| Painting contractors, resident, employing four workmen, each per annum,..... | 8.00 |
| Painting contractors, resident, employing five workmen, each per annum,..... | 9.00 |
| Painting contractors, resident, employing six workmen, each per annum,..... | 10.00 |
| Painting contractors, ITINERANT, a tax equal to three times the tax charged resident contractors. | |

PAINT DEALERS. Every person, firm, or corporation selling or distributing paint, sal imine, or other paint products, shall pay a license tax of, per annum,..... 25.00

PAPER OR PAPER PRODUCTS. Each and every person, firm, or corporation engaged in the sale or distribution of paper or paper products where twenty percent or more of their business is the sale or distribution of paper, shall pay a license tax of per annum,..... 50.00

PARKING PLACES. On each and every lot used for a public parkingplace, shall be paid a license tax of, per annum,..... 12.50

PASTEURIZERS OF MILK. Each establishment shall pay a license tax of, per annum,..... 100.00
The foregoing tax is not collectable where creamery tax is paid.

PATENT RIGHTS AND FORMULAS- DEALERS IN.
On each person, firm, or corporation offering for sale any patent or formula, shall be paid a license tax of, per annum,..... 10.00

PAVING, GRADING, SIDEWALK, SEWER OR STORM SEWERS.
See "Contractors".

PAWN BROKERS.
See "Brokers-Pawn".

PEANUT AND POPCORN ROASTERS. Every person engaged in the business of operating any peanut or popcorn roaster or stand, shall pay a license tax of, per annum. 25.00
PROVIDED, that when a peanut or popcorn roaster or stand is operated in connection with some other business and a license tax for doing such other business is an amount not less than $25.00 is paid, the license tax shall only be, per annum 5.00

PEDDLERS OF BOOKS.
See "Book Agents".

PEDDLERS-GENERAL
See "Goods, Wares, and Merchandise."

PEDDLERS OF VENDORS OF MEDICINE.
See "Goods, Wares, and Merchandise".

PEDDLING.
See "Goods, Wares, and Merchandise", also "Farm Products".

PEDDLING OF FISH.
Prohibited by Ordinance.

PENNY ARCADES OR PARLORS.
See "Arcades".

PEPSO-COLA BOTTLING WORKS.
See "Bottling Works".

PERFUMES, COMPACTS, LIP STICK, OR OTHER TOILET ARTICLES. Every person, firm, or corporation selling perfume, cologne, toilet water, or bath salts, shall pay a license tax of, per annum,..... 2.50

PET SHOPS. Every person, firm, or corporation operating a shop usually known as a "pet shop" or place of business where pets such as dogs, monkeys, cats, birds, fish, white mice, and other pets by whatsoever name called, are sold, shall pay a license tax of, per annum,..... 50.00

PHONOGRAPHS, GRAPHOPHONES, OR TALKING MACHINES.
See "Organs".



PHOTOSTAT DEALERS. Every person, firm, or corporation making photostatic reproductions, or engaged in the business of making photostatic copies for sale, shall pay a license tax of, per annum,..... $ 25.00

PHRENOLOGISTS. Per annum,..... 500.00
PROVIDED, that each phrenologists has paid the State tax under Section 115 of the 1931 Revenue Act.

PHYSICIANS.
Exempt by State Statutes.

PIANO OR ORGAN REPAIRERS OR TUNERS.
See "Organ Repairers or Tuners".

PICTURES- TRAVELING, MOVING, TRAVELING THEATRICAL VAUDEVILLE, OR TRAVELING MINSTREL SHOWS. Every person, firm, or corporation engaged in the business of a traveling theatrical, traveling moving picture, and/or traveling vaudeville company, giving exhibitions or performances in any hall, tent, or other place not duly licensed as a theatre, moving picture or vaudeville house, for the privilege of engaging in such business, shall pay a license tax of $25.00 for each day or part of a day's exhibits or performances.
PROVIDED, that:
(a) Artists, exhibiting paintings or statuary work of their own hand, shall only pay $2.00
(b) Such places of amusements as do not charge more than a total of fifty cents for admission at the door, including reserved seat, and shall perform or exhibit continuously in any given place as much as one week, shall be required to pay $25.00, for the first day, and a total of $25.00 for the next succeeding five days or any part thereof, and $30.00 per week or any part thereof thereafterwards.
PROVIDED, however, where such amusement company holds an annual State-wide License as provided under Section 103 of the 1931 Revenue Act, such company shall pay $20.00 per week or part of week.
Application for permit to exhibit must be made in the same manner as herein requires of shows, and no performances shall be given unless permit is granted.

PIPE OR CEMENT BLOCKS.
See "Cement Blocks".

PISTOLS. Every person, firm, or corporation, who is engaged in the business of keeping in stock, selling, and/or offering for sale any of the articles or commodities hereinafter enumerated, shall pay the following tax, per annum:
(a) For pistols and/or metallic pistol cartridges or cartridges used in pistols $50.00
(b) For bowie knives, dirks, daggers, sling-shots, loaded canes, iron or metallic knuckles, or articles of a like kind, $200.00
(c) Blank cartridge pistols, $200.00
PROVIDED, however, that if such person, firm, or corporation deals only in twenty-two metallic cartridges, the tax shall be, per annum, $10.00

PLACARDS IN STREET CARS.
See "Advertising With".

PLUMBING CONTRACTORS.
See "Electrical Contractors, Plumbers, Steam and Gas Fitters".

PLUMBING SUPPLIES. Every person, firm, or corporation selling plumbing supplies, shall pay a license tax of, per annum, (wholesale),..... 100.00
PROVIDED, where any person, firm, or corporation, selling plumbing supplies at retail, and where the contractor's license for installation is not paid, shall pay a license tax of, per annum,..... 50.00

POLES, CROSS-TIES, LOGS, OR SIMILAR ARTICLES.
See "Buying and Shipping of".

PONY AND DOG SHOWS.
See "Circuses".

POOL ROOMS.
See "Billiards".

POULTRY. Every person, firm, or corporation, buying or selling poultry or farm products at wholesale, shall pay a license tax of, per annum,..... 50.00

POWER, GAS, AND ELECTRIC LIGHT COMPANIES.
See "Electric Light Companies".

PRESSING CLUBS, DRY CLEANING PLANTS, AND HAT BLOCKERS. Every person, firm or corporation engaged in the business of pressing and/or dry cleaning any articles of clothing, re-shaping, cleaning, and/or re-blocking any hats, shall pay a license tax, per annum, as follows:
(a) Where not more than three persons are employed,..... 10.00
(b) Where more than three persons are employed,..... 40.00

PRINTED ADVERTISEMENTS, SIGN TACKING, ETC.
See "Advertising- Distributors of Samples, Printed Advertisements".

PRINTING AGENTS.
See "Agents - Not Specifically Taxed".

PRINTING ESTABLISHMENTS. Without bindery, employing not over two workmen, per annum,..... $ 15.00
Employing over two workmen, per annum,..... 25.00
With bindery, per annum,..... 30.00

PRODUCE, N.O.C. Every person, firm, or corporation engaged in the business of selling at wholesale fruits, vegetables, fresh vegetables, or farm produce, shall pay a ...ty License Tax of, per annum,..... 100.00

Every person, firm, or corporation, who maintains a permanent place of business for the purpose of selling at wholesale, fresh fruits, vegetables and produce in the City of Asheville, shall pay a City license tax of, per annum,..... 100.00

Every person, firm, or corporation, or itinerant who does not maintain a permanent place of business in the City of Asheville who sells or offers for sale at wholesale fresh vegetables, fruits, and produce by truck, wagon or from a railroad car in the city of Asheville, shall pay a City license tax of, per annum, $100.00 for each truck, wagon, or other vehicle operated in Asheville.

This tax shall not apply to farmers selling or offering for sale fresh fruits, vegetables or farm products grown by sellers, providing they go to the City Curb Market lot provided for this purpose by the City of Asheville.

The annual city license tax must be applied for and secured in advance before offering any of the above products for sale in the City of Asheville. This license cannot be prorated.

PROFESSIONAL ART- HEALING.
Exempt by State Statutes.

PROFESSIONAL LECTURES.
See "Lectures".

PUBLIC ANNOUNCEMENTS OF ADVERTISEMENTS BY THE USE OF BRASS BANDS IN THE CONGESTED DISTRICTS OF THE CITY.

See "Advertising".

PUBLIC SERVICE AUTOMOBILES.
See "Motor Vehicles for Hire".

"Q"

QUARRY-ROCK. On each rock quarry, a license tax shall be paid of, per annum $100.00

"R"

RACKS FOR KNIVES OR CANES.
See "Cane Racks".

RADIO INSTRUMENTS OR RADIO INSTRUMENT ACCESSORIES.
See "Phonographs".

REAL ESTATE BROKERS. Per annum,..... 20.00
A real estate broker within the meaning of this ordinance is any person, firm, partnership, co-partnership, association, or corporation, who for a compensation or valuable consideration sells or offers for sale, buys, or offers to buy, or negotiates the purchase or sale or exchange of real estate, or who leases or offers to lease, or rents or offers for rent any real estate or the improvements thereon for others, as a whole or partial vocation.

REAL ESTATE SALESMEN. Per annum,..... 5.00
A real estate salesman within themeaningof this ordinance is any person who for a compensation or valuable consideration is employed either directly or indirectly by a real estate broker to sell or offer to sell, or to buy or offer to buy, or to negotiate the purchase, sale or exchange of real estate, or to lease, to rent or offer for rent, any real estate or to negotiate leases therof or of theimprovements thereon, as a whole or partial vocation.

REAL ESTATE AUTIONEERS.
See "Auctioneers".

RELIGIOUS ENTERTAINMENTS.
See "Charitable Entertainments".

REPAIR SHOPS. Any repair shops operating in the City of Asheville, by whatsoever name not elsewhere specifically licenses or taxed in this ordinance, shall pay an annuam license tax as follows:

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|---|---|
| Working one workmen, | $ 5.00 |
| Working one to three workmen | 10.00 |
| Working three workmen or more | 15.00 |

REPAIR SHOPS-CABINET.
See "Cabinet Repair Shops".

REPAIR SHOPS-CARRIAGE.
See "Carriage Repair Shops".

REPAIRING OR MANUFACTURING OF HARNESS OR SHOES.
See "Harness or Shoe Repairers".

REPAIRERS OR TUNERS OF ORGANS OR PIANOS.
See "Organ Tuners".



RESTAURANTS, LUNCH ROOMS, HOTEL DINING ROOMS OR DRUG STORES. Every person, firm, or corporation engaged in the business of operating a restaurant, cafe, cafeteria, hotel with dining service on the European Plan, drug store, or other place where prepared food is sold, shall pay an annuaml license tax as follows:
(a) Such places with chairs, stools, or benches for:
Less than ten person,s per annum, $5.00
Ten and less than twenty-five persons, $10.00
Twenty-five and less than fifty persons, $20.00
Fifty and less than seventy-five persons, $30.00
Seventy-five and less than one hundred persons, $50.00
One hundred or more persons, $75.00
(b) All other stands or places where prepared food is sold as a business, and drug stores, service stations and other stands or places where prepared sandwiches only are served, shall pay an annual license tax of $5.00

RIDING DEVICES. Every person, firm, or corporation engaged in the operation of a bagtelle table, merry-go-round, flying jenny, ferris wheel, whip, tango swing, caterpillar, tumble bug, hobby-horse, switchback railway, shooting gallery, skating rink, or other amusement devices of a like kind, or a place for other games or play with or without name (unless used soleley and exclusively for private amusement and exercise), at a permanent licensed place, shall procure a special license for the privilege of operating such objects of amusement and shall pay for each such object anumerated the followingtax, per annum $ 20.00

ROOMS OR HALLS USED AS THEATRES.
See "Halls".

ROOTS AND HERBS. Every person, firm, or corporation buying or selling roots, herbs, or other medicinal plants, shall pay a license tax of, per annum 200.00

"S"

SAMPLE AND SIGN DISTRIBUTORS, PRINTED ADVERTISEMENTS (EXCEPT POLITICAL ADVERTISEMENTS).
See "Advertising".

SAND DEALERS, AGENCIES OR SALES OFFICES. Per truck, 15.00

SANDWICHES AND LUNCHES - DRUG STORES.

| | |
|---|---|
| Sandwiches- Wholesale, per annum | 15.00 |
| Sandwiches - Retail, per annum, | 5.00 |

SCALE DEALERS. Each dealer in, or agent for, shall pay a license tax of, per annum, 15.00

SECOND-HAND CLOTHING.
See "Clothing- Second-Hand".

SECOND-HAND AUTOMOBILE EQUIPMENT.
See "Automobile Equipment- Used Parts".

SECURITY DEALERS.
(a) Every person, firm or corporation, who or which is engaged in the business of dealing in securities as defined in Section 132 of the 1931 Revenue Act, or who or which maintain a place for or engages in the business of buying and/or selling shares of stock in any corporation, bonds, or any other securities on commission or brokerage, shall pay for the privilege of transacting such business a license tax of, per annum 50.00
(b) PROVIDED every dealer as defined herein other than banks or trust companies shall pay a license tax for the privilege of transacting such business at each office.
(c) If every such person, firm, or corporation described in sub-section (a) hereof maintains and/or operates a leased or private wire and/or ticker service in connection with such business, the annual license tax on the private wire or ticker service shall be, ..... 50.00

SEWERS, GRADING, PAVING, SIDEWALKS, OR STORM SEWERS.
See "Contractors".

SEWER PIPE. Every person, firm, or corporation selling sewer pipe, shall pay a license tax, per annum..... 50.00
No tax collected hereunder: where building material tax is collected on their electrical contractor, plumber, steam and gas fitter, tax is collected.
(See "Electrical Contractors, Plumbers, Steam and Gas Fitters".)

SEWING MACHINE AGENTS.
Exempt by State Statutes.

SHIPPING, AND BUYING TELEPHONE POLES, CROSS-TIES, LOGS, OR STAVES, ETC.
See "Buying and Shipping".

SHOE OR HARNESS MANUFACTURERS OR REPAIRERS.
See "Harness Manufacturers".

SHOE SHINE PARLORS.
See "Bootblack Stands".

SIDEWALK, GRADING, PAVING, SEWERS, OR STORM SEWERS.
See "Contractors".

SIGN PAINTING. On any sign painting contractors not employing any workmen each per annum..... 10.00
On any sign painting contractors employing two workmen or less 15.00
Three to four workmen..... 20.00
Four to six workmen..... 25.00
Six or more workmen 30.00
Itinerant sign painters, per annum 100.00

SAW TOOTHING, PLANT'S ADVERTISEMENTS, SAMPLES, DISTRIBUTORS.
See "Advertisements".

SILVERSMITHS. Every person, firm, or corporation engaged in the business of silversmithing shall pay a license tax of, per annum..... $ 25.00

SKATING RINKS.
See "Roller Skating Rinks".

SLAUGHTER HOUSES.
Prohibited.

SLOT KNIVES.
See "Pocket Knives".

SLOT MACHINES.
See "Machines, Slot".

SODA FOUNTAIN SUPPLIES. Every person, firm, or corporation selling or distributing fruit syrups, or other supplies used at a soda fountain, where fifty percent of the gross sales or stock of merchandise applied consists of fruits, syrups, or other supplies used at a soda fountain, shall pay a license tax of, per annum..... 50.00

SODA FOUNTAINS.
See "Fountains, Soda".

SOFT DRINKS- SALE OF. On each person, firm, or corporation selling bottled soft drinks a license tax shall be paid of, per annum..... 2.50

SOFT DRINKS- ITINERANT SELLING.
See "Balloons".

SOFT DRINKS.
See "Drinks", also "Bottling Companies".

SPRINKLER SYSTEMS. Dealers or Agents selling automatic sprinklers shall pay a license tax of, per annum,..... 50.00

SOUVENIRS- ITINERANTS SELLING.
See "Balloons".

SPICES AND FLAVORING EXTRACTS.
See "Goods, Wares, and Merchandise".

STABLES- LIVERY
See "Livery Stables".

STANDS- BOOT BLACK STANDS.
See "Boot Black Stands", or "Shoe Shine Parlors".

STANDS-FRUIT STANDS.
See "Fruit Stands".

STANDS- FRUIT, CIGAR, CIGARETTES, AND TOBACCO.
See "Fruit Stands".

STANDS-LEMONADE STANDS, PUBLIC OCCASIONS.
See "Lemonade Stands".

STAR COURSES.
See "Chautauquas".

STATIONS-GASOLINE OR AUTO CLEANING.
See "Auto Cleaning Stations".

STEAM SHOVELS. On each and every steam, gas, or motor driven shovel operated in the City of Asheville, a license tax shall be paid of, per annum..... 25.00

STEAM AND GAS FITTERS.
See "Electrical Contractors, Plumbers, Etc".

STOCK YARDS OR PENS.
Every person, firm, or corporation, operating or maintaining a yard or pen where live stock is loaded, unloaded, fed, or watered, shall pay on each yard or pen, per annum,..... 250.00
PROVIDED, however, that the provisions of this tax shall not be collected from packing houses operating or maintaining a stock yard or pen who have paid the prescribed tax on packing houses.

STOCK BROKERS.
See "Brokers".

STOCK AND MERCHANDISE BROKERS.
See "Brokers".

STORAGE OR TRANSFER WAREHOUSES. Where a charge is made for storage service, a license tax shall be paid of, per annum,..... 100.00

STORM SEWER, GRADING, PAVING, SIDEWALKS AND SEWERS.
See "Contractors".



STOVES, RANGES- INSTALLATION. Every person, firm, or corporation selling or offering for sale stoves, ranges, gas or other water heaters where same is connected with the water system of the city of Asheville shall pay a license tax of , per annum..... $ 25.00
It shall be unlawful for any person, firm, or corporation to install any range, stove, gas, or other water heater where the same is connected with the water system of the City of Asheville, unless such installation is made by a plumber licensed un the provisions of the plumbing ordinance.

STREET CARS-ADVERTISING BY USE OF PLACARDS.
See "Advertising".

SUPPLIES FOR TYPEWRITER MACHINES. Agents or dealers in supplies for typewriting machines shall pay a license tax of, per annum,..... 10.00

SURGEONS-VETERINARY.
Exempt by State Statutes.

SWITCHBACK, RAILROADS OR ROLLER COASTERS.
See "Riding Devices".

SWOP-TABLE. Every person, firm, or corporation manufacturing table by up shall pay license tax of , per annum,..... 25.00

"T"

TAILORS- MERCHANT.
See "Merchants- Tailors".

TALKING MACHINES.
See "Phonographs, Graphophones, or Talking Machines".

TENEMENTS. Each, per annum,..... 150.00

TELEGRAPH COMPANIES. Every person, firm, or corporation, domestic or foreign, engaged in operating the apparatus necessary to communication by telegraph within the corporate limits of the city of Asheville, shall pay a license tax of, per annum 50.00

TELEPHONE ADVERTISING. Every person, firm, or corporation selling advertising space in telephone directories, shall pay a license tax of, per annum,.... 25.00

TENTS OR AWNINGS-MANUFACTURERS OF OR DEALERS IN.
See "Awnings".

THEATRES. On each room or hall used as a theatre or opera house other than moving picture theatres, where public exhibition or performances are given for profit, shall be paid a license tax of, per annum,..... 10.00
NOT PRORATED.

THEATRICAL COMPANIES, MOVING PICTURES OR TRAVELING VAUDEVILLE.
See "Traveling Moving Pictures".

THEATRICAL EXHIBITIONS.
See "Exhibitions, Entertainments, also Pictures".

TIN SHOPS OR SHEET METAL WORKING ESTABLISHMENTS.
See "Sheet Metal Working Establishments or Tin Shops".

TIRE REPAIRS.
See "Automotive Service Stations".

TOBACCO, CIGARETTES, CIGARS, AND FRUITS.
See "Cigarettes".

TOILET ARTICLES-PEDDLERS OF.
See "Goods, Wares, and Merchandise".

TOMBSTONE AND MARBLE DEALERS.
See "Monuments".

TOYS. Every person, firm, or corporation, selling or distributing toys, shall pay license tax, of per annum,..... 10.00

TRADE SHOPS.
See "Printing Establishments".

TRADING STAMPS, DEVICES, ETC.
See "Devices".

TRANSFER COMPANIES.
See "Drays".

TRANSFER AND STORAGE WAREHOUSES.
See "Storage Warehouses".

TRAVELING CIRCUSES.
See "Circuses".

TRAVELING THEATRICAL OR MOVING PICTURE COMPANIES.
See "Pictures, Traveling".

TUNING OR REPAIRING ORGANS AND PIANOS.
See "Organ and Piano Tuners".

"U"

U-DRIVE-IT PASSENGER CARS AND TRUCKS.
See "Motor Vehicles for Hire".

UNDERTAKERS.
See "Coffin Makers".

UMBRELLA REPAIRERS. Every person engaged in the business of repairer of umbrellas, shall pay a license tax of as follows:
If not more than one person is employed therein, per annum 5.00
If more than one person is employed therein, per annum 10.00

UPHOLSTERING. Every person, firm, or corporation engaged in the business of upholstering or repairing furniture, shall pay a license tax of, per annum 15.00
PROVIDED, this tax shall not be collected from persons, firm, or corporations paying a tax on furniture stores.

USED PARTS- AUTOMOBILE EQUIPMENT.
See "Automobile Equipment- Used Parts".

"V"

VANS FOR MOVING- DRAYS, TRANSFER COMPANIES, ETC.
See "Drays".

VAUDEVILLE COMPANIES- TRAVELING THEATRICAL COMPANIES, ETC.
See "Moving Pictures", also Pictures".

VEHICLES ON WAGONS- ADVERTISING WITH.
See "Advertising With".

VEHICLES- MOTOR
See "Motor Vehicles".

VETERINARY SURGEONS.
Exempt by State Statutes.

VICTROLAS AND GRAPHOPHONES.
See "Phonographs".

VULCANIZING.
See "Automotive Service".

"W"

WAGONS OR VEHICLES DRIVEN THROUGH THE STREETS WITH ADVERTISING SIGNS.
See "Advertising".

WALKING ABOUT STREETS DISPLAYING SIGNS. Each and every person, firm, or corporation delegating someone to walk about the streets and display, for the purpose of advertising a sign or signs, shall pay a license tax of, per day..... 2.00
NOT PRORATED.

WASHING MACHINES. Every person, firm, or corporation selling, distributing, or delivering washing machines, shall pay a license tax of, per annum,..... 50.00

WATERMELONS- SLICED OR CUT. On each and every person, firm, or corporation selling or offering for sale, sliced or cut watermelon, shall be paid a license tax of, per annum,..... 10.00
NOT PRORATED.
NOTE. The foregoing tax shall not be prorated; nor shall any tax be collected from restaurants or drug stores who have paid the prescribed tax, and all sales shall be subject to ordinances applicable to food handling establishments.

WELDING SHOPS. Every person, firm, or corporation who makes repairs on anything by welding shall pay a license tax of, per annum,..... 25.00

WIENER STANDS, HOT-DOGS, AND WIENNIES.
See "Restaurants".

WILD WEST SHOWS.
See"Circuses"

WINDOW CLEANERS. Every person, firm, or corporation, engaged in the business of washing windows, cleaning floors, or general housecleaning and employing one person or more, shall pay a license tax of, per annum,..... 25.00

WOOD-KINDLING, CHEMICAL.
(a) Every person, firm, or corporation selling wood for duel purposes, shall pay a license tax of, per annum,..... 10.00
(b) Every person, firm, or corporation selling chemical kindling, shall pay a license tax of, per annum,..... 50.00



WOOD YARDS.
Saw operated by power, per annum,..... $ 25.00
Saw operated by hand, per annum,..... 5.00

WOOLEN MILLS. Every person, firm, or corporation operating a mill manufacturing woolen cloth, shall pay a license tax of, per annum,..... 100.00

WRESTLING AND BOXING. Every promoter or exhibitor of any wrestling or boxing, for which an admission charge is made, shall pay a license tax of, for each exhibition or show,..... 10.00

"Y"

YEAST. Every person, firm, or corporation selling or distributing yeast at wholesale, shall pay a license tax of, per annum,..... 150.00

"MISCELLANEOUS".

ALL BUSINESSES, TRADES, PROFESSIONS, GAMES, DEVICES, OR OTHER UNDERTAKINGS PROSECUTED FOR PROFIT OR GAIN, NOT TAXED HEREIN..... 25.00

Per quarter..... 15.00
Per month,..... 10.00
Per day..... 3.00

Section 16.

Any person who shall willfully make any false statements in an application for license under any section of this ordinance or schedule, shall upon conviction be liable for a penalty of fifty ($50.00) dollars.

Section 17.

That all ordinances or parts of ordinances in conflict with this ordinance are hereby repealed; provided, that such repal shall in no way affect any rights heretofore acquired for the collection on of any tax hereto fore levied or assessed, or the validity of any sales for taxes heretofore made, or any right heretofore acquired under any ordinance of the city.

I move the adoption of the foregoing ordinance, this the 6th day of July, A. D. 1932

Julian A. Woodcock
Councilman

SECONDED BY: Wilkes Wambolit
Councilman.

Rules suspended and immediately put upon its second andthird readings and adopted and declared to be an ordinance of the City of Asheville, effective according to statute, July 21st, 1932.

Read, approved, and adopted, this the 6th day of July, A. D., 1932.

Ottis Green
MAYOR

E. G. Thompson
CITY CLERK.

APPROVED AS TO FORM:
J. C. Merrimon
CORPORATION COUNSEL.

There beingno further business, the meeting, on motion, adjourned.

Ottis Green
Mayor

E. G. [illegible]
City Clerk.

Thursday, July 7, 1932- 4:30 P. M.

The City Council met in regular session, Mayor Green presiding. Present: Councilmen: Plott Boyd, W. C. Britt, H. G. Brookshire, Wilbur Devendorf, Ottis L. Green, Frank S. Smith, Wickes Wamboldt and Julian A. Woodcock, Corporation Counsel, J. G. McKesson and City Manager, R. W. Rigsby. The minutes of the previous meeting were read and approved.

M . X. B. Starnes filed notice of claim for adjustment and relief from further payments of assessments for storm sewer on Broadway, property of Mrs. J. R. Starnes, which was on motion of M . Woodcock, seconded by Mr. Britt, unanimously referred to the Corporation Counsel.

Asheville, N. C.
July 2, 1932.

The City Council of Asheville,

Gentlemen:

In 1927 a storm sewer was built along Broadway and Lexington Ave. Assessments totaling $614.44 were made against the property of Mrs. J. R. Starnes ward 3, lots numbered 120, 357, 358, 359, 360, 361, 362, 363, 364. Which said lots face either on Broadway, Cherry St., or Rankin Ave. and were not served anyway by the storm sewer.

No openings were made into the sewer to handle water from these lots as that was adequately taken care of by existing sewers.

However Mrs. Starnes paid $298.28 (principal plus interest) without protest upon the presumption that the charge was just.

Now as administrator of her estate I have looked into the matter and find the assessment unjust and illegal. Therefore I respectfully petition your Honorable body for a proper adjustment and relief from further payments.

Very respectfully yours,

X. B. Starnes
Adm. of Estate of Mrs. J. R. Starnes (M. B. Starnes)
Address. X. B. Starnes, 8 Cherry St., City.

The request of Asheville Lodge #1401 B. P. O. Elks for the use of the Recreation Park for annual Orphans Day Picnic on Thursday, August 18th was on motion of Mr.Wamboldt seconded by Mr. Woodcock, unanimously referred to the City Manager.

Asheville, N. C. July 7th, 1932.

City Manager and City Council,
City of Asheville,
North Carolina

Gentlemen:

Asheville Lodge #1401, B. P. O. Elks, respectfully makes application for theuse of the Recreation Park for our annual Orphans Day Picnic which is to be held on Thursday, August the eighteenth.

It has been the custom of the City to extend to us this courtesy in the past, for which we are indeed grateful.

We also extend to you the invitation to visit us on this date, August Eighteenth, and see for yourselves just how much fun the little tots can get from this day's outing.

Respectfully,
ASHEVILLE LODGE #1401,
B. P. O. ELKS,
Cy Capt. Jack O'Neal
CHAIRMAN OF THE COMMITTEE.

Mr. W. G. Fortune, attorney for Ruby Smith, requested that the City pay doctor bill amounting to $60.00 for treatment of Ruby Smith due to being injured by bottle falling from city garbage truck.

It was moved by Mr. Woodcock, seconded by Mr. Wamboldt, that the matter be referred to the Corporation Counsel and the City Manager for adjustment.



Mayor Green stated that Mr. Weede, manager of the Chamber of Commerce, had invited the Councilmen to attend in a body the motorcade to Tryon on next Saturday to celebrate the opening of the new highway from Spartanburg South Carolina to North Carolina.

There being no further business, the meeting, on motion, adjourned.

Otis L. Green
Mayor.

City Clerk.

Thursday, July 14, 1932- 4:30 P. M.

The City Council met in regular session; Mayor Green presiding. Present: Councilmen; Plott Boyd, W. C. Britt, H. G. Brookshire, Wilbur Devendorf, Ottis L. Green, Frank S. Smith, Wickes Wamboldt and Julian A. Woodcock, Corporation Counsel, J. G. McKesson, and City Manager R. W. Rigsby. The minutes of the previous meeting were read and approved.

Attorney Charles Buck, representing Hawkins, VanWinkle and Walton, attorneys for Katherine J. Appleton filed notice of claim for $750.00 interest due on school bonds.

Mr. Devendorf moved, seconded by M . Woodcock, vote on motion carrying that this matter be referred to the Corporation Counsel.

Asheville, N. C.
July 11, 1932.

TO THE MAYOR AND COUNCIL OF THE CITY OF ASHEVILLE:

YOUR ARE HEREBY NOTIFIED that pursuant to Section 24 of Chapter 17 of the Private Laws of North Carolina, session of1923 as amended by Section 99, Article 13, Chapter 121 of the Private Laws of North Carolina, Session of 1931, that the undersigned makes demand for the payment of fifteen (15) coupons of $25.00 each due July 1, 1931 on fifteen school bonds of the City of Asheville, North Carolina, of $1,000.00 each with interest at 5% which bonds are due July 1, 1944, and which bonds were issued pursuant to the Municipal Finance Act, an ordinance adopted April 14, 1919, andelection held on May 6, 1919, and a resolution adopted July 7, 1919, for the purpose of completing and properly equipping the high school building, the construction of a new school building, and reconstructing and enlarging other public school buildings in the City of Asheville, andwhich coupons are detached from bonds Nos. 158, 159, 160, 161, 162, 163, 174, 176, 177, 178, 179, 190, 191, 192; and the undersigned further demands payment of the fifteen coupons on the identical bonds above enumerated which became due July 1, 1932, a total amount now due and owing the undersigned of Seven Hundred Fifty ($750.00) Dollars, and of which bonds and coupons the undersigned is the owner and holder, and payment of which has been refused.

KATHERINE J. APPLETON

By Hawkins, VanWinkle & Walton
Attorneys for Katherine J. Appleton.

On motion of M . Smith, seconded by M . Boyd, it was moved that the invitation of Miss Bertha Proffitt, Hostess at the Municipal Golf Club House, to the Councilmen, Corporation Counsel, City Manager and Director of Public Works and their wives to attend a dinner next Wednesday be accepted.

There being no further business, the meeting, on motion, adjourned.

Otis L. Green
Mayor

City Clerk.

Thursday, July 21, 1932- 4:30 P.M.

The City Council met in regular session; Mayor Green presiding. Present: Councilmen, Elliott Boyd, W. C. Britt, H. G. Brookshire, Wilbur Devendorf, Ottis Green, [illegible] Smith, Wilkes Wamboldt and Julian A. Woodcock, Corporation Counsel, J. G. Merrimon, and City Manager, E. W. Grigsby. The minutes of the previous meeting were read and approved.

Dr. Scott Stevens representing committee of the West Asheville Club, submitted suggestion of tentative plans for creating an "International Good Will Plot" within the Asheville Recreation Park, and asked for the official sanction of the City Council.

It was moved by Mr. Woodcock, seconded by Mr. Smith, and unanimously carried that this matter be referred to the City Manager.

It was moved by Mr. Julian Woodcock, seconded by Mr. Wilkes Wamboldt, that Jitney Ordinance #170, an Ordinance to Promote Public Transportation; being for the immediate preservation of the Public Peace of the Citizens of Asheville, it is hereby declared an emergency ordinance" be passed on its first reading. All members of the Council voting for the passage of the ordinance on its first reading.

Moved by Dr. Brookshire, seconded by Mr. Devendorf, that the rules be suspended, Ordinance be passed on its second reading. All members of the Council voting for the suspension of the rules and the passage of the ordinance on its second reading.

It was moved by Mr. Britt, seconded by Mr. Wamboldt that Ordinance #170, Jitney Bus Ordinance be passed on its third and final reading to become effective July 29, 1932. All members of the Council voting for the passage of this ordinance on its third reading, the ordinance was adopted and declared to be an emergency ordinance of the City of Asheville.

ORDINANCE #170.

JITNEY BUS ORDINANCE.

AN ORDINANCE TO PROMOTE PUBLIC TRANSPORTATION; BEING FOR THE IMMEDIATE PRESERVATION OF THEPUBLIC PEACE AND SAFETY OF THE CITIZENS OF ASHEVILLE, IT IS HEREBY DECLARED AN EMERGENCY ORDINANCE.

THE CITY COUNCIL OF THE CITY OF ASHEVILLE DO ORDAIN:

Section 1. That there shall be required a Performance Bond of five hundred ($500.00) dollars from each jitney bus operator or association, that they will conduct a satisfactory service and one in accordance with the ordinances of the City of Asheville and permit issued, for the full period for which a license is granted; and failure to do so means forfeiture of the bond. The bond shall be a surety bond, approved by the Corporation Counsel, or by deposit of cash under agreement, approved by the Corporation Counsel.

Section 2. That the rate agreed upon for any given route shall not be changed except upon the approval of the City Council.

Section 3. That the service will be for a continuous period each day upon a schedule agreed upon, andstated in the permit, and of sufficient capacity to take care of traffic demands.

Section 4. That a permit to operate shall be limited to a street or route mentioned in the permit, and no change shall be made therein until a new application has been presented and actex upon by the Council.

Section 5. Cars shall not be permitted to carry more passengers than the standard seating capacity at which such car is registered, plus oneor two.

Section 6. Any person, firm, corporation or association, proposing to operate along any route, shall indicate all stops desired, and when approved shall be entered in the permit, and upon the granting of such permit no stops shall be allowed except as so designated. Any person, firm, corporation or association receiving such permit shall erect suitable signs designating such stops satisfactory to the Director of Public Safety.

Section 7. Any person, firm, corporation or association, who shall violate any provision of this ordinance shall be subject to a penalty of twenty-five ($25.00) dollars for each and every such offense, and each and every violation of any provision of this ordinance shall constitute a distinct and separate offense.

I move the adoption of the foregoing ordinance, this the 21st day of July, 1932.

Julian Woodcock
Councilman

Seconded by: Wilkes Wamboldt
Councilman.



[illegible] adopted, this the 21st day of July, 1932, to take effect the 29th day of July, 1932; and declared to be an emergency ordinance of the City of Asheville.

Ottis Green
Mayor

E. G. Thompson
CITY CLERK

APPROVED AS TO FORM:
J. G. Merrimon
CORPORATION COUNSEL.

REAL ESTATE DEALERS [illegible]

Mr. Taylor Bleasoe, Attorney representing the real estate dealers, presented protest to an increase in the privilege license tax assessed real estate operators.

It was moved by Mr. Boyd, seconded by Mr. Wamboldt, that this matter be referred to the Committee on Privilege Taxes, composed of Councilmen W. C. Britt, [illegible] Councilman Louis Lipinsky. This motion was unanimously carried.

TAXICAB [illegible]
MR. ROBT. S. BROWN

M. Robt. S. Brown requested that the Council consider suggestions that [illegible] be appointed to take some action in obtaining lower rates of electric energy and also in obtaining greater tax returns.

Mayor Green advised Mr. Brown to confer with Mr. Grigsby, who is working on equitable adjustments.

SCHOOL BOARD [illegible]

Mr. Merrimon reporting in regard to the claim of Katherine J. Appleton for payment of interest on school bonds, stated the bonds were issued when the City owned the schools, and as the City is no longer owner of the school property he met and conferred with the Chairman of the School Board in regard to payment of school bond interest.

[illegible] LOANS

On motion of Councilman Julian Woodcock, seconded by Councilman W. C. Britt, a Resolution to Close the City Market as a Market House was unanimously adopted.

RESOLUTION

A RESOLUTION TO CLOSE THE CITY MARKET HOUSE

WHEREAS, the city market has been under investigation for many months to ascertain whether or not the same would be operated without considerable loss to the City; and

WHEREAS, it has been ascertained, to the satisfaction of the City Council, that the same cannot be operated without considerable loss to the City.

THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ASHEVILLE:

That the City Manager be and he is directed to close the city market and to serve and to give notice to all the persons occupying the same that the same will be closed on the 1st day of Sept., 1932.

RESOLVED, FURTHER, that the City Manager [illegible] from the persons occupying stalls in the said market [illegible] occupancy.

The foregoing resolution was introduced by Mr. Julian Woodcock, seconded by Mr. W. C. Britt, the same to become effective upon the adoption of the resolution.

This the 21st day of July, 1932.

APPROVED AS TO FORM:

J. G. Merrimon

CORPORATION COUNSEL.

[illegible] stated that Tulsa Okla. were buying all foodstuff [illegible] organization at wholesale at a great saving to the city and [illegible] the plan of buying at wholesale supplies distributed [illegible] Asheville.

[illegible] State Law required that there shall be $5,000.00 set [illegible] Fund for the policemen and he had revised the Board of Finance [illegible] into budget.

[illegible] business, the meeting, on motion, adjourned.

[illegible] Mayor

[illegible] City Clerk.

Thursday, July 28, 1938- 4:30 P. M.

[illegible] in regular session; Mayor Green presiding. Present: Councilmen Britt, [illegible], Ottis L. Green, H. G. Brookshire, Louis Lipinsky, [illegible] Woodcock and Frank S. Smith and Corporation Counsel, J. G. [illegible]. The minutes of the previous meeting were read and approved.

[illegible] in regard to the closing of the swimming pool for colored [illegible] for the removal of bath houses, that Mr. Cowan had made a request of the [illegible] for the use of the Mountain Street School basement in connection with [illegible] pool.

[illegible] for swimming facilities in other parts of the [illegible].

[illegible] Attorney, presented a petition from various wholesale produce dealers [illegible] tax on wholesale produce and fruit dealers be reduced to [illegible].

[illegible] Britt, seconded by Mr. Woodcock, voted on and carrying [illegible] Committee of Privilege Taxes.

[illegible] by B. Hamlet for free license to operate a small lunch [illegible] W. Smith, seconded by Mr. Woodcock, unanimously referred to the [illegible].

[illegible] and tenants of Lexington Avenue appeared before the [illegible] prohibiting parking of vehicles selling produce [illegible] to prohibit the sale of produce on that street

[illegible] W. Britt, seconded by Mr. Woodcock that a Committee be [illegible] regulate sale of produce on Lexington Avenue. [illegible] the motion was carried unanimously.

[illegible] Committee: Councilmen Louis Lipinsky, J. [illegible] Woodcock [illegible].

[illegible] of Mr. Julian [illegible] Woodcock, seconded by Mr. Louis Lipinsky, a resolution authorizing [illegible] Asheville School bonds in the payment of assessments was unanimously [illegible].



RESOLUTION

RESOLVED that the City will not accept Asheville School Bonds in the payment of assessments, as provided in former resolution authorizing the acceptance of the bonds of the City of Asheville and the Town of West Asheville in payment of assessments.

This resolution will become effective from and after the first day of August, 1938, and the same shall be published in the Asheville newspaper having the largest circulation.

This July 28, 1938.

The foregoing resolution was introduced by Mr. Julian [illegible] seconded by Mr. Louis Lipinsky.

[illegible], approved, and adopted this the 28th day of July, 1938.

Ottis Green
Mayor.

H. G. Thomason
City Clerk.

APPROVED AS TO FORM:

J. G. Merrimon
CORPORATION COUNSEL.

Ordinance #174
[illegible]

On motion of Councilman W. C. Britt, seconded by Councilman Frank S. Smith voted on and unanimously carried An ordinance amending Sub-section "M" of Section 1, [illegible] "Real Estate Brokers" of Ordinance #172, being "An Ordinance Levying, Assessing, Imposing, and Defining the License and Privilege Taxes of the City of Asheville for the [illegible] beginning June 1, 1938, and ending May 31, 1939 [illegible] on its first reading.

There being no further business, the meeting, on motion, adjourned.

Mayor

City Clerk.

Monday, August 1, 1938 11 o'clock A. M.

The City Council met in special session: Mayor Green presiding. Present: Councilmen, Julian Woodcock, Wilkes Wamboldt, [illegible], W. C. Britt, H. G. Brookshire, Wilbur Devendorf and Ottis Green, Corporation Counsel J. G. Merrimon and City Manager, C. W. Rigsby.

The Clerk read a letter from the City Manager requesting that a special meeting be held, Monday August 1, 1938 at 11 o'clock A. M.

July [illegible], 1938.

Mrs. H. G. Thomason
City Clerk

Dear Madam:

You are requested to notify the members of the City Council that a special meeting is called at 11 o'clock, Monday, August 1, 1938 for the purpose of considering and passing a resolution [illegible] to pass on certain items of debt service in the budget for the current fiscal year pending debt adjustment

Very truly yours,
C. W. Rigsby
City Manager.

...of special meeting published in the Asheville ... August 1, 1932, in accordance with the provisions of the Charter.

... City Manager notice is hereby given of a special ... meeting to be held at 11 o'clock, Monday, August 1st, for the ... and passing a resolution requesting the Local ... Government Commission to make an order in items of debt service in the budget ... fiscal year, appearing in debt adjustment.

K. R. Thompson, City Clerk.

On motion of Councilman Lillian Woodcock, seconded by Councilman Wilbur ... the following resolution was unanimously adopted:

BE IT RESOLVED that the Mayor and City Manager be, and they ... hereby authorized and directed to apply to the Local Government ... Commission for an order to refund, as of July 1st, 1932, all of the ... outstanding indebtedness of the City of Asheville represented by bonds ... and notes on which payments of interest during the fiscal year, beginning ... July 1, 1932, are to be at the rate of two and one-half per centum per annum, ... and to enter into such agreements with the City and its bond and note holders ... as may be necessary.

BE IT FURTHER RESOLVED that prior to making such application ... for refunding to the Local Government Commission the Mayor and City ... Manager be and they are hereby authorized to request the approval of the ... Board of Commissioners of such application.

... motion the Board adjourned, to meet again, on motion, on Thursday, ...

K. R. Thompson
City Clerk

Thursday, August 4, 1932 - 7:30 P. M.

... session: Mayor Edwin Green presiding. Present: ... Councilmen Julian ... Woodcock, Opposition Council, J. G. ... City Manager. The minutes of the previous meeting were ...

... in damage for damages to ... by reason by ... Fork intake in 1927 was on motion of ... Liginsky, ... by ... referred to the City Manager.

August 4, 1932.

... Asheville

Gentlemen:

... against the City of Asheville for your consideration.

... been brought about by putting through my property ... line in 1927 from the North Fork intake which ... works.

... being done, the blasting and dynamiting of the ... destroyed all markers on the dividing line ... down for trunks ladened with large pipes ... All trees and other land marks ... obliterated all old lines, and wiped out ...



... making ... survey ... by survey ... City owns ...

... line ... the keys of ... into the City. ... unable to use ... little being ... major ...

... claim ... with ... the Mayor ... property ... going to ...

This claim ... upon ... filed in ...

... assistant ... will give me ... of the ... of the ...

Miss Lillie ...
"Woodcock"
Biltmore, North ...

Note: This ... to the first ... passage on the property which I own.

... 174

On motion of ..., seconded by ..., ... of Section 15, ... "Boake" ... Levying, Assessing, Imposing, and Defining the ... Asheville for the fiscal year beginning June 1, ... unanimously passed on ... reading.

... W. Haywood ..., Attorney, ... employed by the Tax ... Commission, ... executed ... this ...

He also made ... for an adjustment of ... jury in widening ... on the extension of ...

It was moved by ... on ... that ... before the ...

... Liginsky in ... that the Council ... the Opposition ... the City in meetings which ... in the matter of adjusting ... corporations.

It was moved by ... Woodcock, ... before the Opposition Commission.

... Opposition ...

In view of the ... matter of adjusting ... tions, to more ... the suggestion ... meetings, I would ... other qualified ... and the Opposition ... possible date ... as possible.

...ocured under these adjustments are not as low as any ... possible, it would appear wisdom to accept the reduction ... Commission as an immediate relief, if it is deemed ...

... relief at this time may involve long drawn out ... expense, and deprive the consumer of immediate ...

... Rigsby
City Manager.

... before the Council in behalf of the Independent ... property belonging to the City on East Haywood ... to stop expense by reason of moving the ... in the old Oil Company's property in ... the front, and he made request that ... to the City and allow the Company to ... of the note.

... Mr. ..., seconded by ... Wamboldt, voted on and ... this ... Council.

... of the City ..., the Council will meet ... public ... utility tax and several ordinance ... P. M.

... meeting on motion, adjourned.

... City Clerk.

Tuesday, August 11, 1936- 4:.0 P. M.

... Council met in ... session, Mayor Green presiding. Present: ... Brookshire, Wilbur Devendorf, Ottis L. Green, Louis Lipinsky, ... Smith, Wickes Wamboldt and Julian A. Woodcock, Corporation ... Manager R. W. Rigsby. The minutes of the previous ... were read.

... petition requesting the old Post Office site be named "Johnston ... Smith, seconded by Mr. Britt ordered taken under ...

... petition requesting permission to conduct a fish ...

... seconded by Mr. Woodcock, that the ordinance ... operation of fish markets or stalls be repealed.

... which was seconded by Mr. Lipinsky, that the ... ordinance can be passed as an emergency ...

... Central Oil Company appeared before the Council ... to erect a temporary building on the corner of ... the street that the 10 foot building line ...

... permit be granted provided the company agrees to ... the City, without any expense to the City.

It was moved by Mr. Woodcock, seconded by Mr. Smith, voted on and carried that ... recommendation of the City Manager be approved to allow the building to be erected ... ordered agreeing to remove building upon request ...



Mr. J. E. Wilson ... street assessments against ..., amount ..., which were ... on the records of liens ... Asheville and still ... assessment book in the tax office and no petition ... to ...

It was moved by ..., seconded by Mr. ..., voted on ... this matter be referred to ... and ... ordinance ... and passed.

On motion of Councilman Louis Lipinsky, seconded by Councilman ..., Ordinance #176, entitled "An ordinance to regulate the sale of food products, fruits, farm products of any kind, meats, poultry, ... on Lexington Avenue in the City of Asheville; and ... the public peace, welfare, safety, and health of the City of ..." was passed ... an emergency ordinance, was passed its first reading. ... voting "aye" Councilman, Britt, Brookshire, Devendorf, Lipinsky, ... Woodcock, "no" Councilman Boyd. This motion ...

It was moved by ... Councilman ... Wamboldt, ... Councilman ... Woodcock voted on and carried that the rules be suspended ... second andthird reading.

Councilman Woodcock ..., seconded by Councilman ... be passed on its second reading. Voting for the passage of the ordinance ... reading Councilmen Britt, Brookshire, Lipinsky, Smith, ... "no" Councilmen Boyd and Devendorf, the motion ...

Moved by Councilman Woodcock, seconded by ... be passed on its third and final reading. Voting for the ... its final reading, Councilmen Britt, Brookshire, Lipinsky, Smith, ... "no" Councilmen Boyd and Devendorf, the motion ... to be an ordinance of the City of Asheville effective ... day of August, 1936.

ORDINANCE #176

AN ORDINANCE TO REGULATE THE SALE OF FOOD PRODUCTS, ... FARM PRODUCTS OF ANY KIND, MEATS, DAIRY ..., ... ON LEXINGTON AVENUE IN THE CITY OF ASHEVILLE; ... PRESERVATION OF THE PUBLIC PEACE, WELFARE, ... OF ASHEVILLE ...

THE CITY COUNCIL OF THE CITY OF ... VILLE, ...:

Section 1. That it shall be unlawful for any person, ..., firm, partnership or corporation, to sell or offer for sale ... in the city of Asheville any food supplies, vegetables, ..., farm products of any kind, meats, poultry, dairy products, ..., whether of the seller's own production or otherwise, ... or any kindof vehicle, basket, tray, or any other ... by hand or otherwise, except as provided ...

Section 2. That ... person or persons, firm, ... selling or offering for sale any of the ... Section 1 of this ordinance, ..., their immediate family or families, ... to obtain a permit from the ... The City Clerk shall ... sworn to before the Clerk of the Superior Court ... in which the said ... it shall be stated ... or raised by the applicant, ..., employees. Such permit shall be kept ... or assignable, and shall be exhibited ... special officer ... such exhibition ... of the seller, ... where the said ..., information ... continued to ... products except ... of Asheville ...

Section 3. That ... corporation, ... and articles enumerated in Section 1 ... hand or push ..., ... carried by hand or otherwise, ...

[illegible] for sale [illegible] by the seller, his, [illegible] their immediate [illegible] license tax as follows:

| | |
|---|---|
| [illegible] tion on ton, | $ 15.00 |
| [illegible] ton, not exceeding [illegible] ton, | 25.00 |
| [illegible] ton, | 75.00 |
| [illegible], | 50.00 |
| [illegible], | 15.00 |
| [illegible], | 10.00 |
| [illegible], | 2.50 |

[illegible] tion, [illegible] shall [illegible] of the City of [illegible] to time [illegible] shall contain the name and address [illegible], the type of vehicle to be operated, [illegible], and all other information [illegible] license tax may be [illegible] on a semi-[illegible]

[illegible] no [illegible] person, firm, partnership [illegible] without having [illegible] the affidavit [illegible] to pay the license tax required [illegible]

[illegible] will be [illegible] on Lexington Avenue, [illegible] in said City, for the purpose of selling [illegible] products herein [illegible] mentioned, under [illegible], to-wit:

( ) [illegible] spaces drawn on [illegible] street [illegible] curb, within which all vehicles of [illegible] shall be parked; [illegible] fire (5) [illegible] for the [illegible] of business on [illegible]

( ) [illegible] temporarily [illegible] not exceeding [illegible] seven (7) [illegible] from [illegible] and white [illegible] on Lexington (1) [illegible] are to be designated by white [illegible]

( ) [illegible] fifteen (15) feet in [illegible] at each [illegible]

( ) [illegible] appointed, for the purpose of enforcing the rules [illegible], and for the protection and welfare, health and peace [illegible] any insanitary condition to arise from the sale of [illegible] shall be a special police officer of the City [illegible] conferred upon the police officers. It shall [illegible] to collect all fees and make daily reports to the [illegible] duties [illegible] of him with [illegible] enforcement of the regulations herein contained, and the [illegible] products in and [illegible] to assist in their [illegible] consumption.

( ) [illegible] vehicle occupying such space shall be made, and [illegible] of defraying the expense incident to permitting [illegible] follows:

| | |
|---|---|
| On vehicle 19 ft. or less in length, for [illegible] of May,---------- | .25 |
| On vehicle over 19 ft. in length, for [illegible] of May,---------- | .50 |

( ) [illegible] such goods, or market hours, on said [illegible] from 7:00 A. M. to 7:00 P. M., except Saturdays; [illegible] extended from 7:00 P. M. to 10:00 P. M.

( ) [illegible] any person, firm, partnership or corporation, [illegible] products on Lexington Avenue, in accordance with [illegible], must provide receptacles for all rubbish and [illegible] occasioned by their occupancy and use of the street, and shall [illegible]

( ) [illegible] to be done by the inspector, any vehicle may be moved temporarily for the purpose of permitting the delivery of goods, wares, or [illegible] to or from [illegible] buildings on said street within the area hereinbefore mentioned.



Section 5. That any violation of this ordinance [illegible] or fals[illegible] statement [illegible] in request to obtain [illegible] permit [illegible] shall be grounds for [illegible] revocation of [illegible] permit [illegible] might be [illegible]

Section 6. That any person or persons, firm, [illegible] violating, failing, refusing, or neglecting to comply with any [illegible] requirements of this ordinance, shall be subject to [illegible] sellers [illegible] provisions of [illegible] shall constitute [illegible]

Section 7. That all ordinances or [illegible] ordinance are [illegible] repealed.

Section 8. That if any section of this [illegible] unconstitutional, it shall not affect [illegible]

Section 9. That this ordinance, being [illegible] the public peace, [illegible], safety and [illegible] declared an [illegible] ordinance, [illegible] shall be in force [illegible] after its passage [illegible] City Council and it publication [illegible] paper having the largest or second-largest circulation.

[illegible]

Louis Chinney

Attested by: Julian F. Woodcock
City Clerk

Read, approved and enacted, this the 11th day of August, 1930.

Otis Rumbough

J. G. Merrimon

APPROVED AS TO FORM:
J. G. Merrimon
CORPORATION COUNSEL.

COUNCIL ACTION RE-PLUMBING

On motion of Councilman Wilbur Devendorf, seconded by Councilman Clark Reed, An ordinance to regulate plumbing in the City of Asheville was unanimously passed on its first reading.

CONTRACT & BOND - POLICE

Mr. Rigsby presented and read a contract for a term of [illegible] between the City of Asheville and the Carolina Power & Light Company, and moved that the contract be approved and signed.

It was moved by Mr. Woodcock, seconded by Mr. [illegible] City Clerk be instructed to have the contract properly executed.

PERMIT - PUBLIC [illegible]

Mr. Rigsby presented application for permit for license to [illegible] motor vehicles between Asheville and West Asheville over the following route:

Leaving [illegible] for the purpose of [illegible] Porter Beginning at the No[illegible] one [illegible] W.st along College St. to Government St.; thence west along Government St. to Patton Ave.; thence with Patton Ave. to Clingman Ave.; thence with Clingman Ave. to E. Haywood Road to Haywood Rd.; thence with Haywood Road to Medaline Ave.; thence with Medaline Ave. to Sulphur Springs Rd.; thence with Sulphur Springs Rd. to Rumbough Pl.; thence with Rumbough Pl. to terminal at corner of Haywood Rd. and Rumbough Pl. Returning by way of Haywood Rd. in same route.

Description of Sand Hill Route Loop.

Leaving West Asheville terminal every fifteen minutes, except on Sundays [illegible] from 7 to 11, every thirty minutes, over the following route: Rumbough Place to Clay Street; thence with Salola Street to Sand Hill Road; thence with Sand Hill [illegible]; and thence covering same route [illegible] station.

Applicants of West Asheville Bus Line [illegible], made [illegible] of the following application, and [illegible] the following permits, made [illegible] of the bill, in two [illegible] permits, independent applications: Paul [illegible] Murray, C. J. Thomas, [illegible] C. P. Metcalf, R. P. Hughes, W. C. Collier, J. M. [illegible], [illegible] ington, Robert Ballard, T. L. Ballard, E. L. Tracey, B. L. Silvers, [illegible] Capps, [illegible] Macallan, W. [illegible] Bishop, Mrs. Vera Hutchinson, F. J. [illegible], J. [illegible] Parsons, [illegible] Hipps, W. [illegible] Owen.

Thursday, August 18, 1932- 4:30 P. M.

The City Council met in regular session; Mayor Green presiding. Present: Councilmen; Ottis Green, Julian A. Woodcock, Wilkes Wamboldt, Frank Smith, Plott Boyd, M. C. Britt, H. G. Brookshire, Wilbur Devendorf and Louis Lipinsky, Corporation Counsel, J. G. Merrimon and City Manager, R. W. Rigsby. The minutes of the previous meeting were read and approved.

Mr. Wamboldt suggested that the City give the merchants an opportunity of paying special privilege taxes in quarterly installments. No action taken.

Nora Gibbs, through her attorney, Wells and Taylor, filed notice of claim for damages for personal injury sustained by falling over a meter box or pipe on Highland Street.

It was moved by Mr. Woodcock, seconded by Mr. Wamboldt, voted on and carried that the claim be referred to the City Manager and the Corporation Counsel.

State of North Carolina,
County of Buncombe.

| | | |
|---|---|---|
| Nora Gibbs, Plaintiff | ) | |
| -vs- | ( | NOTICE OF CLAIM FOR DAMAGES FOR PERSONAL INJURY |
| City of Asheville Defendant. | ) | |

TO THE CITY COUNCIL AND HONORABLE MAYOR AND OTHER OFFICERS OF THE CITY OF ASHEVILLE:

Nora Gibbs of the County of Yancey hereby files this her claim and notice of claim against the City of Asheville, North Carolina for damages for personal injuries sustained, and to that end hereby sets forth:

1.

That the date on which the injuries and damages occurred or were sustained by her was on Saturday, May 28, 1932, at approximately the hour of 11:30 o'clock at night.

2.

That the place of the happening or the infliction of said personal injuries and damages was on Highland Street at a point directly in front of the house, and where the walkway leads into the house, at #24 Highland Street.

3.

That the damages arose under the following circumstances:
The claimant had just gotten out of an automobile, andwas in the act of entering the walkway which leads into the house designated as #24 Highland Street, when and where she stumbled and fell over an iron meter box or pipe, which was constructed in violation of law and in such a manner that same extended up above the ground approximately six or eight inches high.
The claimant further alleges that by virtue of the wrongful act of the City of Asheville in constructing or permitting to be constructed said meter box or pipe directly in the walkway leading into #24 Highland Street, and in permitting said meter box or pipe to remain in such an unsafe condition, over which this claimant was compelled to walk in order to reach the house to which she was going, the said meter box or pipe extending some six or eight inches above the fround, and it being night time, this claimant stumbled and fell over said meter box, thereby injuring and bruising her arms, legs and other parts of her body, straining and wrenching her back, and otherwise seriously and permanently injuring the claimant, as she is advised and believes.
The claimant further states that by virtue of the negligent acts, and omissions, of the City of Asheille, as he einbefore set forth, she was injured to such an extent that she was compelled to secure medical aid and treatment, and was made sick, sore and lame, and was confined to her home for a period of several weeks, and by virtue thereof sustained large financial loss and expense, and was made to suffer excruciating pain, and by virtue of said injury still suffers pain, and loss of time and expense.

4.

That the said claimant hasbeen damaged by virtue of said injuries, loss of time, physical suffering, and permanent injury in the sum of Three Thousand Dollars, and that the amount of damages claimed against the City of Asheville is Three Thousand Dollars.

5.

That the claimant demands immediate payment from the City of Asheville in the sum of Three Thousand Dollars.

This 18 day of August, 1932.

Wells & Taylor
Attorneys for Claimant.

Service of the foregoing notice is hereby accepted, and receipt of a copy of same is acknowledged, this 18 day of August, 1932.

---

Nora Gibbs, being first duly sworn, deposes and says: That she has read or heard read the foregoing Notice of Claim for Damages for Personal Injury and knows the contents thereof, that the same is true of her own knowledge, except the matters and things therein stated upon information and belief, and as to those matters she believes it to be true.

Nora Gibbs

Subscribed and sworn to before me this 4 day of August, 1932.

Margaret Simmons
Notary Public

(SEAL)

Mrs. M. H. Harris filed a protest against the City renting property owned by the City for bus terminal.

Mr. J. M. Westall presented petition signed by several hundred citizens, requesting that the lot upon which the old Post Office stood, be officially named and designated "Johnston Place", in honor of the late William Johnston who donated this lot to the Federal Government for the Post Office and Federal Building.

On motion of Mr. Smith, seconded by Mr. Woodcock, voted on and carried, this matter was ordered referred to the Corporation Counsel to ascertain whether this site has been officially named.

Mr. Geo. Pennell, representing twenty-five journeymen plumbers, protested against the adoption of the Plumbing Ordinance, pointing out legal objections and stated the ordinance is unfair and invalid.

Mr. Pennell was instructed to file his objections in writing.

The complaint of Sam Johnson, colored, that the police had entered and searched his house without a warrant was referred to the City Manager.

Mr. W. B. Plemmons requested information in regard to weight and measure inspector. Mr. Rigsby stated he would submit a report of the activities of the Weight & Measure Inspector at the next meeting.

Mrs. O. O. Hamilton requested information concerning the auditorium being repaired so it can be used for public concerts. Her request was referred to the Auditorium Committee.

Mr. Rigsby submitted reports from the Assistant Corporation Counsel and the Engineering Department which substantiated the fact set forth in the claim of J. E. Wilson and R. P. Wilson, and recommended that the assessments be cancelled.

On motion of Dr. Brookshire, seconded by Mr. Woodcock, voted on and carried, the recommendation of the City Manager that the assessments against lot 193, sheet 20, ward 6 be cancelled was adopted.

On motion of Councilman Frank Smith, seconded by Councilman Wickes Wamboldt, Ordinance #174, entitled An Ordinance amending sub-section "R" of Section 15, under "Real Estate Brokers" of Ordinance #172, being "An ordinance levying, assessing, imposing, and defining the license and privilege taxes of the City of Asheville for the fiscal year beginning June 1, 1932, and ending May 31, 1933, was unanimously passed on its third and final reading.



ORDINANCE #174

AN ORDINANCE AMENDING SUB-SECTION "R" OF SECTION 15, UNDER "REAL ESTATE BROKERS" OF ORDINANCE #172, BEING "AN ORDINANCE LEVYING, ASSESSING, IMPOSING, AND DEFINING THE LICENSE AND PRIVILEGE TAXES OF THE CITY OF ASHEVILLE FOR THE FISCAL YEAR BEGINNING JUNE 1, 1932, AND ENDING MAY 31, 1933.

THE CITY COUNCIL OF THE CITY OF ASHEVILLE DO ORDAIN:

Section 1. That sub-section "R" of Section 15, under "Real Estate Brokers", be amended to read as follows:

REAL ESTATE BROKERS. Per annum $12.50
A real estate broker within the meaning of this ordinance is any person, firm, partnership, co-partnership, association, or corporation, who for a compensation or valuable consideration sells or offers for sale, buys, or offers to buy, or negotiates the purchase or sale or exchange of real estate, or who leases or offers to lease, or rents or offers for rent, any real estate or the improvements thereon for others, as a whole or partial vocation.

I move the adoption of the foregoing ordinance, this the 28th day of July, 1932.

W. C. Britt
COUNCILMAN

SECONDED BY: Frank S. Smith
COUNCILMAN.

Read, approved, and adopted this the 18th day of Aug., 1932.

Ottis Green
MAYOR

E. G. Thompson
CITY CLERK.

APPROVED AS TO FORM:
J. G. Merrimon
CORPORATION COUNSEL.

Mr. Rigsby made the following report and recommendations on the jitney bus operation:

Keeping in mind at all times that the primary and fundamental thing which the City should foster in connection with Jitney Bus operation, is a dependable, safe, and well regulated transportation service for the various sections of this City: and secondarily, the City should procure such service with a minimum of requirements upon the operators of such jitney buses, I am making further recommendations in this connection.

At the last Council meeting, August 11th, I made a recommendation that the number of Jitney Buses for the West Asheville Schedule should be limited to fifteen, and that the operators be chosen upon a basis of priority in filing applications. However, in view of the fact that there were nineteen operators who had been supplying service on this schedule for some time, opportunity was extended to this entire number to qualify for permits under the ordinances.

All operators have failed to qualify, and I am now making the following recommendations which I am convinced are essential, if the people in West Asheville, as well as other sections, are to have the service to which they are entitled, and the operators are to make reasonable return on their service.

1. In order to avoid depreciation of service and unnecessary congestion of traffic, the number of jitney buses on the West Asheville Schedule shall be limited to fifteen, until further action by this Council.

2. That priority of filing applications on any schedule in the City shall be no longer considered as a basis for issuing permits, but that permits shall be issued in accordance with priority in qualifying under the ordinances.

3. That the Performance Bond in the sum of $500.00, required under Ordinance #170, which ordinance was suggested by the Jitney Bus Operators, be eliminated, thus making one less bond to procure, and one less expense to the operators.

With these recommendations adopted, I am convinced that West Asheville, as well as other sections of the City, will be able to get a maximum service, and the operators will have more satisfactory conditions of operation.

L. W. Rigsby
City Manager.

Mr. Sanford W. Brown, representing bus operators of West Asheville, requested that no action be taken pending action of the court at the hearing on next Saturday.

It was moved by Mr. Woodcock, seconded by Dr. Brookshire, that the recommendation of the City Manager be adopted. This motion carried all members of the Council voting "aye" except Councilman Wamboldt who withheld his vote.

On motion of Councilman Frank S. Smith, seconded by Councilman H. G. Brookshire, Ordinance #175- entitled "An Ordinance Repealing Section One of Ordinance 179, The Jitney Bus Ordinance; being for the immediate preservation of the public peace and safety of the citizens of Asheville, it is hereby declared an emergency ordinance." was passed on its first reading. Voting for the passage of the ordinance on its first reading, Councilmen. Boyd, Britt, Brookshire, Devendorf, Lipinsky, Smith, Woodcock, and Wamboldt.

It was moved by Councilman Woodcock, seconded by Councilman Britt that the rules be suspended and the ordinance be placed on its second and third readings. Voting for the suspension of the rules, Councilmen, Boyd, Britt, Brookshire, Devendorf, Lipinsky, Smith, Wamboldt and Woodcock.

On motion of Councilman Woodcock, seconded by Councilman Britt Ordinance #175 was passed on its second reading, voting "aye" Councilmen Britt, Boyd, Brookshire, Devendorf, Lipinsky, Wamboldt, Woodcock and Smith.

Councilman Britt moved, seconded by Councilman Smith that Ordinance #175, be passed on its third and final reading. Voting "aye" Councilmen Boyd, Britt, Devendorf, Brookshire, Lipinsky, Wamboldt, Woodcock and Smith, the ordinance was adopted and declared to be an ordinance of the City of Asheville to become effective upon its publication in a newspaper of the City of Asheville.

ORDINANCE #175

AN ORDINANCE REPEALING SECTION ONE OF ORDINANCE 170, THE JITNEY BUS ORDINANCE; BEING FOR THE IMMEDIATE PRESERVATION OF THE PUBLIC PEACE AND SAFETY OF THE CITIZENS OF ASHEVILLE, IT IS HEREBY DECLARED AN EMERGENCY ORDINANCE.

THE CITY COUNCIL OF THE CITY OF ASHEVILLE DO ORDAIN:

SECTION 1. That Section one of Ordinance #170, being the Jitney Bus Ordinance, which reads as follows:

> "That there shall be required a Performance Bond of five hundred ($500.00) dollars from each jitney bud operator or association, that they will conduct a satisfactory service and one in accordance with the ordinances of the City of Asheville and permit issued, for the full period for which a license is granted; and failure to do so means forfeiture of the bond. The bond shall be a surety bond, approved by the Corporation Counsel, or by deposit of cash under agreement, approved by the Corporation Counsel. "

be and the same is hereby repealed.

SECTION 2. That this ordinance, being for the immediate preservation of the public peace and safety of the citizens of Asheville, be and the same is hereby declared an emergency ordinance, to be in full force and affect after its passage by the City Council and publication in a daily newspaper of the City of Asheville.

I move the adoption of the foregoing ordinance, this the 18th day of August, 1932.

Frank S. Smith
COUNCILMAN

Seconded by: H. G. Brookshire
COUNCILMAN

Read, approved, and adopted, this the 18th day of August, 1932. Rules suspended and immediately put upon its second and third readings and declared to be an ordinance of the City of Asheville.

Ottis Green
MAYOR

E. G. Thompson
CITY CLERK.

APPROVED AS TO FORM:

J. G. Merrimon
CORPORATION COUNSEL.



It was moved by Councilman Woodcock, seconded by Councilman Smith, that An Ordinance to Regulate Plumbing in the City of Asheville, be passed on its second reading. Voting "aye" Councilmen Boyd, Britt, Brookshire, Lipinsky, Smith, Wamboldt and Woodcock, "no" Councilmen Devendorf and Wamboldt.

Councilman Julian A. Woodcock moved, seconded by Councilman Louis Lipinsky, that An Ordinance Repealing all Ordinances Pertaining to the Restricted Areas for the Sale of Fresh Meats, Dressed Poultry, Fish, or other Perishable Food Products, be passed on its first reading. All members of the Council voting "aye" the ordinance passed on its first reading.

Mr. Rigsby presented a report preliminary to the presentation of the budget.

August 18, 1932.

To the Mayor and City Council of
the City of Asheville, North Carolina.

Gentlemen:

I am presenting the budget, including debt service for the fiscal year, beginning July 1, 1932. This budget has been compiled in accordance with the law, and contains a minimum estimated expense to take care of the various functionsof the government, and debt service of the City of Asheville.

It will be noted that theoperating budget originally compiled and adopted by this Council, has been changed as indicated on the following schedule:

| | |
|---|---|
| Original Operating Budget | $765,769.17 |
| Additions: | |
| 50% cost reformatory-agreement | 4,000.00 |
| Police pension (State Law) | 5,000.00 |
| | 774,769.17 |
| Deductions: | |
| Reduction cost Street Lighting | 6,000.00 |
| Transfer Tax discounts | 12,000.00 |
| 10 months Market Operation | 11,853.13 |
| | 29,853.13 |
| | $ 744,916.04 |

You will note also that ax rate on the valuation of $107,000,000. would be .7924, compared with a tax rate last year on a twelve month basis 1.142. However, the law requires, and in order to insure that we shall not immediately go into a state of default by failure to collect sufficient taxes to meet the new interest rate and operating expenses, there is included a fifteen percent addition to take care of uncollectability. This increases our rate by .1172, which would make our rate .9096. In view of the fact that the City of Asheville is not in position to borrow money against anticipated revenues, this method of handling our finances is logical, and absolutely necessary, unless a revolving fund can be developed from which money can be drawn, and this revolving fund is not in prospect during this fiscal year. Any money which may be derived from the sum set aside from uncollectability can be placed in a revolving fund for future financing and the purchase of bonds on the open market.

You will note also that there is included in this budget serial bond payments falling due during the fiscal year of $467,697.68, plus estimated uncollectability $23,400.00. This is merely in conformity with the law, and the Board of Financial Control has the authority to cut this figure from the budget in the same manner as was done last year.

As a matter of comparison, the following schedule will show comparisons of appropriations of debt service and operation for five years.

APPROPRIATIONS

| | TOTAL | DEBT SERVICE | OPERATION |
|---|---|---|---|
| 1928-29 | 2,485,699.50 | 1,458,905.00 | 1,026,794.50 |
| 1929-30 | 2,685,559.12 | 1,559,018.25 | 1,126,540.87 |
| 1930-31 | 3,708,334.88 | 2,817,416.68 | 890,918.20 |
| 1931-32 | 1,676,403.77 | 1,011,314.58 | 665,089.19 |
| | 1,578,142.22 | | 568,827.64 |
| 1932-33 | 1,335,861.31 | 590,945.27 | 744,916.04 |

You will note under the year 1931-32 there are two figures for operation, and two figures for total, and these items need the following explanation; In the first place this was a ten months year, which seems to have been forgotten by some who are making comparisons, and the latter figure for 1931-32 was not based upon the budget, but upon a lump sum allowance.

The operation cost for this year is based upon the actual cost gained by a year's operation experience, and the appropriation shown for both operation and debt service does not include reserve for uncollectability amounting to $125,393.80, which is not an appropriation, but a safety reserve.

It is interesting to note that the average appropriation for operation as compared to 1928-29 has been reduced over 30%.

Yours very truly,

R. W. Rigsby
City Manager.

It was moved by Councilman W. C. Britt, seconded by Councilman H. G. Brookshire, that Resolution Adopting the Budget for the City of Asheville for the Fiscal Year Beginning July 1, 1932, and Ending June 30, 1933 be adopted. This motion on being put to a vote was carried, voting "aye" Councilmen Boyd, Britt, Brookshire, Devendorf, Lipinsky and Woodcock "no" Councilman Wamboldt.

RESOLUTION ADOPTING THE BUDGET FOR THE CITY OF ASHEVILLE FOR THE FISCAL YEAR BEGINNING JULY 1, 1932, AND ENDING JUNE 30, 1933.

WHEREAS, the City Manager of the City of Asheville presented to the City Council, this the 18th day of August, 1932, the budget for the fiscal year beginning July 1, 1932 and ending June 30, 1933, and the budget as presented shows the amount to be expended for the operation of the various departments of the City of Asheville, debt service and Chamber of Commerce, as follows:

| | | |
|---|---|---|
| General Fund, | 716,916.04 | |
| Plus Estimate of Uncollectible Taxes, | | 48,743.80 |
| Debt Service Interest | 590,945.27 | |
| Plus Estimate of Uncollectible Taxes, | | 88,650.00 |
| Debt Service Principal | 467,697.68 | |
| Plus Estimate of Uncollectible Taxes | | 23,400.00 |
| Chamber of Commerce | 28,000.00 | |
| | | 160,793.80 |
| Making a total of | 1,803,558.99 Plus | |
| Estimate of Uncollectible Taxes | 160,793.80 | |
| Total, | $ 1,964,352.79 | |

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ASHEVILLE:

That the budget as presented to the City Council by the City Manager on the 18th day of August, 1932, covering general fund, debt service interest and debt service principal, and Chamber of Commerce, as outlined above,-- the total being $1,803,558.99, plus $160,793.80 as estimate of uncollectible taxes--, be approved, and the same is hereby adopted as the budget of the City of Asheville for the fiscal year 1932-1933.

I move the adoption of the foregoing resolution, and that the same be placed upon the minutes by the City Clerk, this the 18th day of August, 1932.

W. C. Britt
COUNCILMAN

Seconded by: H. G. Brookshire
COUNCILMAN

Read, approved, and adopted, this the 18th day of August, 1932.

Ottis Green
MAYOR

E. G. Thompson
CITY CLERK

APPROVED AS TO FORM:
J. G. Merrimon
CORPORATION COUNSEL

Approved by the Board of Financial Control at its regular meeting held the ____ day of _____, 1932.

_____
CHAIRMAN

ATTEST: _____
SECRETARY.



A report was submitted to the Council by the City Manager based upon the opinion of the Corporation Counsel in regard to the claim of the Independent Gas & Oil Company which was presented to the Council on Aug. 4th by Mr. J. Frazier Glenn, Attorney, stating that note given to the City for $595. be credited with $448.17 the amount claimed to have been spent to remove some equipment, etc., which the former tenant had built on wrong lines having been given building lines by Asst. City Engineer, in which he recommended that the claim be rejected and that the note be paid in full.

A motion was made by Mr. Britt, seconded by Mr. Lipinsky that the Independent Gas & Oil Company be required to keep up the current rent and pay $50.00 per month on said note now held by the City, and in the event the Independent Gas & Oil Company default in payment on said note that the lease now held by them shall become null and void. This motion was voted on and unanimously carried.

Mr. Rigsby submitted a report of the City Engineer in regard to claim of Mrs. Callie Martin Munroe for damages and survey of her property through which the city's water main from North Fork Intake runs, and recommended that the claim be denied.

On motion of Mr. Woodcock, seconded by Mr. Devendorf, voted on and carried, the Council agreed to accept the recommendation of the City Manager.

On motion of Mr. Wamboldt, seconded by Mr. Boyd, A Resolution authorizing agreement between W. Bowen Henderson, Certified Public Accountant, and the City of Asheville was unanimously adopted, and copy of agreement ordered recorded in the minutes.

A RESOLUTION AUTHORIZING AGREEMENT BETWEEN W. BOWEN HENDERSON, CERTIFIED PUBLIC ACCOUNTANT, AND THE CITY OF ASHEVILLE.

WHEREAS, it appears to the City Council of the City of Asheville that under the requirements of the Local Government Act of 1931, and the City Charter, the said City Council is authorized and required to have a quarterly audit of the accounts of the said City of Asheville made by a certified public accountant.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ASHEVILLE:

That, in accordance with the statute above mentioned, the City Council of the City of Asheville is hereby authorized and directed to execute with W. BOWEN HENDERSON, Certified Public Accountant, an agreement covering the audit for the fiscal year, and said agreement shall be placed upon the Minutes of the proceedings of the City Council of the City of Asheville.

I move the adoption of the foregoing resolution.

Wilkes Wamboldt
COUNCILMAN

Seconded by: Plott Boyd
COUNCILMAN

Approved and adopted, this the 18th day of August, 1932, to take effect according to statute.

Ottis Green
MAYOR

E. G. Thompson
CITY CLERK.

APPROVED AS TO FORM:
J. G. Merrimon
CORPORATION COUNSEL.

---

STATE OF NORTH CAROLINA
COUNTY OF BUNCOMBE
CITY OF ASHEVILLE

AGREEMENT

W. BOWEN HENDERSON, party of the first part, and CITY OF ASHEVILLE, party of the second part.

AGREEMENT, made in accordance with the requirements of Chapter 201, Public Laws of 1929, as amended by the Local Government Act of 1931, this the 18th day of August, 1932, between W. BOWEN HENDERSON, Certified Public Accountant, party of the first part, and the CITY OF ASHEVILLE, party of the second part.

(1) The party of the first part agrees to make quarterly audits of the books of the City of Asheville covering the fiscal year ending June 30, 1933. It is understood that the audit, the work necessary in the process of verification, and the preparation of the reports thereof, shall be in accordance with recognized accounting procedures as provided by law and as approved by the Local Government Commission.

(2) The party of the first part agrees to begin the work promptly at the end of each quarter, September 30, 1932, December 31, 1932, March 31, 1933, and June 30, 1933, and to complete the work as soon as possible after the end of each quarter. The party of the first part further agrees that statement rendered at the end of the last quarter, June 30, 1933, shall cover operations for the twelve months beginning July 1, 1932.

(3) The party of the first part agrees, upon completion of the work described herein, to prepare and transmit to the party of the second part a typewritten or printed report setting forth statements of the condition of each of the funds audited, which statement shall show the operating assets and operating liabilities of the respective funds at the dates expressed in paragraph two. Statements shall also be included in the said reports showing the revenues and expenditures of each fund covering the periods expressed in paragraph two, a comparison thereof shall be stated with items of estimated revenues included in the respective funds budgets and with items of appropriations for expenditures in order to reflect the budget psotion at thedates expressed in paragraph two; provided, if the budgets of the various funds are improperly prepared the party of the first part may, in his discretion, adjust the same to conform to correct accounting principles. A copy of this report shall besubmitted to the Local Government Commission for its approval.

(4) The party of the second part, in consideration of the faithful performance of the conditions and covenants by the party of the first part, agrees to pay the party of the first part a compensation for services rendered of two thousand six hundred sixty-six and sixty-four one hundredths ($2,666.63) dollars for all audits hereinbefore set out, payable quarterly; final payment to be made if and when the audit has been accepted and approved by the City Manager.

(5) This agreement, in its entirety, is to be recorded in the Minutes of the proceedings of the City Council of the City of Asheville.

W. BOWEN HENDERSON, Party of the first part.

CITY OF ASHEVILLE, Party of the second part,

By_____
MAYOR.

ATTEST:

_____(CITY SEAL)
CITY CLERK.

APPROVED BY _____
CHAS. L. JOHNSON, Director of
Local Government Commission.

I hereby certify that adequate provisions have been made for the payment of moneys which fall due under the terms of this agreement

_____
CITY ACCOUNTANT.

APPROVED:

_____
CHAS. M. JOHNSON, Director of
Local Government Commission

APPROVED AS TO FORM_____CORPORATION COUNSEL.

There being no further business, the meeting, on motion, adjourned.

Mayor

City Clerk.



Thursday, August 25, 1932 4:30 P. M.

The City Council met in regular session; Mayor Green presiding. Present: Councilmen, Louis Lipinsky, Ottis Green, Julian A. Woodcock, Wickes Wambolat, Frank T. Smith, Plott Boyd, W. C. Britt, H. G. Brookshire and Wilbur Devendorf.

The minutes of the previous meeting were read and the following correction made: Voting "no" for the passage of the Ordinance to Regulate Plumbing in the City of Asheville on its second reading, Councilmen Devendorf and Wambolat.

Mr. Fred L. Sale, attorney representing Joseph Selby, filed claim for damages in the amount of $3,000.00 for land taken by the City on Coxe & Buxton Street, which was on motion of Mr. Woodcock seconded by Mr. Britt, voted on and carried, referred to the City Manager and the Corporation Counsel.

STATE OF NORTH CAROLINA, )
COUNTY OF BUNCOMBE )

To the Honorable Mayor and Board of Councilmen of the City of Asheville, North Carolina:

For and on behalf of Joseph Selby, I have to advise that the records of Buncombe County, North Carolina, disclose that on or about the 21st day of January, 1926, N. G. Karambelas, J. K. Karambelas, N. P Porthmos, J. W. Mochy, and F. E. Hellen, executed a deed in trust recorded in the office of the Register of Deeds for Buncombe County, N. C., in record of mortgages and deeds of trust #204, on page 136, securing an indebtedness in the sum of Fourteen-thousand Sixty-two and Fifty One-hundredths ($14,062.50) Dollars, as evidenced by three notes in sums of Four-thousand Six-hundred Eighty-seven and Fifty One-hundredths ($4,687.50) Dollars each payable to J. H. Morris and Ruth Morris; that Joseph Selby is now the owner of one of said notes upon which there is past due the sum of Three-thousand Five-hundred ($3,500.00) Dollars with interest thereon from the 21st day of July, 1930; that the records in the office of the Register of Deeds for Buncombe County, N. C., disclose by deed recorded in the office aforesaid in record of ddeds #346, on page 206, the City of Asheville purchased and thereby attempted to acquire title to seven and twenty-five one-hundredths (7.25) feet of the lands described in said deed of trust, which said lands are located at the southeast intersection of Coxe and Buxton Streets; that the lands so sought to be purchased by the City of Asheville are, as this claimant is informed and believes, now paved with portion of street paving and sidewalk slong the southern margin of Buxton Street, which said paving and accupancy thereof by the City of Asheville as a public street constitutes a cloud upon the title acquired by said claimant by foreclosure proceedings under said deed in trust and a continuing damage to said claimant;

WHEREFORE, said claimant demands payment of the existing indebtedness as evidenced by the aforementioned note, or the immediate removal of said paving and sidewalk and surrender to said claimant of the lands so covered thereby.

This the 25th day of August, 1932.

Fred L. Sale
Attorney for Joseph Selby.

Mr. E. E. Tracey filed petition signed by eighteen owners and operators of busses operating on the West Asheville line requesting permission to increase the bus fare to ten cents (10¢) beginning Monday, August 29th.

Mr. W. G. Dean stated he wished to withdraw his name from the petition and operate his bus for six cents (6¢).

A motion was offered by Mr. Woodcock, seconded by Mr. Britt that the operators be allowed to charge ten cents fare.

A substitute motion was made by Mr. Wambolat, seconded by Mr. Smith, that action be deferred for one week. This motion was unanimously adopted.

Mr. E. H. McMahan attorney, filed notice of claim of Howard Murray, by his next friend, Mrs. Ollie Murray for damages in the amount of $5,000.00 for injuries sustained by the falling of a window on Valley Street.

Mr. Smith moved, seconded by Mr. Boyd, and unanimously carried, that the claim be referred to the Corporation Counsel.

STATE OF NORTH CAROLINA, )
COUNTY OF BUNCOMBE )

HOWARD MURRAY, By His Next Friend, MRS. OLLIE MURRAY, vs. THE BLUE RIDGE BUILDING & LOAN ASSOCIATION, INCORPORATED, HUGH BROWN and THE CITY OF ASHEVILLE, A Municipal Corporation.

NOTICE

TO THE HONORABLE MAYOR AND BOARD OF COUNCILMEN
OF THE CITY OF ASHEVILLE, ASHEVILLE, NORTH CAROLINA:

TAKE NOTICE that HOWARD MURRAY, by and through his next friend, MRS. OLLIE MURRAY, hereby presents his claim and damand in writing to the said Mayor and Board of Councilmen, for the sum of Three Thousand ($3,000.00) Dollars, due by the negligent injury of HOWARD MURRAY, caused by the negligence of the BLUE RIDGE BUILDING & LOAN ASSOCIATION, INCORPORATED, HUGH BROWN and THE CITY OF ASHEVILLE, A Municipal Corporation; that the said negligent injury being occasioned by a result of the falling and sticking in the head of the said HOWARD MURRAY, by a steel framed window, insecurely propped and projecting over the side walk on Valley Street in Asheville, North Carolina; that the said injury took place on the 5th day of July, 1932; that the building on which the window was attached, is a building belonging to the BLUE RIDGE BUILDING & LOAN ASSOCIA and occupied by HUGH BROWN, and is situated on the southwest corner of College & Valley Street, being a large three (3) story, and basement brick building.

That the said window projected out over the side walk on Valley Str along which the said HOWARD MURRAY was proceeding and was enclosed in a steel frame which opened out over the said side walk, a distance of about one (1) or two (2) feet, and being propped by a steel bar; that the said side walk is approximately three (3) or four (4) feet in width, and extends to the wall of the build on which the window is attached, and that there is a telephone pole with a guide with intersects said side walk, and projects into the same about a distance of ten (10) to twelve (12) inches.

That at the time of theinjuries of the said HOWARD MURRAY occurred, he was walking along said side walk, when his head struck some portion of the s window, and that the window then immediately feel from its prop, and together with its steel frame crashed into the head of the said HOWARD MURRAY, painfully, seriously and permanently injuring the said HOWARD MURRAY.

That the said side walk along which the said HOWARD MURRAY was pro ceeding is a public side walk, maintained by the City of Asheville, and that sa window which was constructed in such a negligent manner, and which was so insecurely and negligently propped, has been a part of said building, for several years time, and that the said City of Asheville has had both actual and constructive notice of the hazardous and dangerous condition of said window, and h taken no action to remedy the defects in regard to the same.

That the said MAYOR AND BOARD OF COUNCILMEN WILL FURTHER TAKE NOTI that the said HOWARD MURRAY is a minor, being of the age of thirteen (13) years and that MRS OLLIE MURRAY, his mother has been duly appointed and has qualified as his next friend, before the Clerk of the Superior Court of Buncombe County, North Carolina; that an action has been filed by said next friend, against the BLUE RIDGE BUILDING & LOAN ASSOCIATION, INCORPORATED, HUGH BROWN, in the sum of Three Thousand ($3,000.00) Dollars, and said MAYOR AND BOARD OF COUNCILMEN WILL FURTHER TAKE NOTICE that if they decline to pay or settle this claim as presented or for a period of ten (10) days after such presentation neglect to enter or cause to be entered upon the minutes of the City of Asheville its determination in regard thereto, this claimant will apply to the cour for permission to make the City of Asheville a defendant in said action, and will then institute an appropriate legal action to recover the amount herein claimed.

Edward H. McMahan
D'Arcy L. Williams
Attorneys for Howard Murray,
by his next friend,
Mrs. Ollie Murray.

STATE OF NORTH CAROLINA,
COUNTY OF BUNCOMBE.

MRS. OLLIE MURRAY, after first being duly sworn, deposes and says: That she, as next friend for HOWARD MURRAY, is the Claimant in the above set forth claim; that she has read the same, and knows the contents thereof and that the sameis true of her own knowledge, except as for such matters as are therein set forth upon information and belief, and as to those she believes them to be true.

Mrs. Ollie Murray
Claimant

SWORN and subscribed to before me,
this the _____day of August, 1932.

_____
NOTARY PUBLIC
MY COMMISSION EXPIRES:

_____



Mr. E. H. McMahan, attorney, filed notice of claim for W. B. Moore, Administrator of the estate of E. B. Moore, Deceased, for damages in the amount of $50,000.00 for injuries sustained by the late E. B. Moore by reason of falling into an area-way or pit in alley running parallel with Church Street.

It was moved by Mr. Smith, seconded by Mr. Boyd, voted on and carried, that the claim be referred to the Corporation Counsel.

STATE OF NORTH CAROLINA, )
: NOTICE OF CLAIM
COUNTY OF BUNCOMBE )

TO THE HONORABLE MAYOR AND BOARD OF COUNCILMEN
OF THE CITY OF ASHEVILLE, ASHEVILLE, N. C.

TAKE NOTICE, that the undersigned W. B. MOORE, Administrator of the estate of E. B. MOORE, Deceased, hereby files and presents a claim and damand in writing to the said MAYOR AND BOARD OF COUNCILMEN of the City of Asheville, for the sum of Fifty Thousand ($50,000.00) Dollars, and in support of said claim shows the following:

1.

That E. B. MOORE died intestate on the 4th day of August, 1932, as a result of injuries sustained, in falling into an area-way or pit, as hereinafter more fully set forth, and that the undersigned W. B. MOORE, was duly appointed administrator of the estate of E. B. MOORE, on or about the 10th day of August, 1932, and that he is the duly qualified and acting administrator of the said estate.

2.

That on or about the night of the 28th day of July, 1932, the deceased, E. B. MOORE, while proceeding along an alley way running parallel to Church Street in the City of Asheville, and being located between the property of the W. T. WEAVER, estate, D. C. WADDELL, and PUBLIX PARAMOUNT CORPORATION (known as IMPERIAL THEATRE) and others, said alley way being immediately behind the property of the said W. T. WEAVER estate which is occupied by the SOUTHERN DISCOUNT & CAROLINA INDUSTRIAL BANK, and the vacant building belonging to D. C. WADDELL, Jr., fell into a pit or area-way, which projected into said alley immediately behind the vacant store building owned by D. C. WADDELL, JR., said pit or area-way projected a distance of approximately four (4) feet; that said pit or area-way was not protected by means of any railing, banister or other objects, and was on almost a level with the ground, and contained a hole between five (5) and six (6) feet in depth, with concrete walls and floor; that said alley way was not sufficiently lighted or notice of obstruction of any sort was placed in the way to prevent a person walking along said alley from falling into said pit.

3.

That the City of Asheville has, for a number of years, maintained said alley way as a public alley way, and that they have had notice both actual and constructive of the condition of the said pit and other pits along said alley way, and had taken no steps prior to this injury to remedy said hazardous condition, or to protect those walking or driving in said alley.

4.

That the said E. B. MOORE, Deceased, was killed, injured, stricken and mangled, as a result of the negligence of the said City of Asheville in maintaining said alley in said condition, and with the unobstructed pit therein, the same being the pit that E. B. Moore fell into.

5.

And the MAYOR AND BOARD OF COUNCILMEN will further take notice that, if they decline to pay or settle this claim as presented, or for a period of ten (10) days after such presentation, neglect to enter or cause to be entered upon the minutes of the City of Asheville determination in regard thereto, this claimant will institute an action at law appropriate in its legal aspect to recover the amount herein claimed.

D'Arcy S. Williams
Edward H. McMahan
Attorneys for Claimants.

STATE OF NORTH CAROLINA,
COUNTY OF BUNCOMBE.

W. B. MOORE, after first being duly sworn deposes and says:

That he is the duly appointed and qualified administrator of the estate of F. B. MOORE, Deceased; that he makes this claim as such administrator; that he has read the foregoing notice, claim and demand, that the same is true of his own knowledge, except as for such matters as are therein set forth upon information and belief, and as to those he believes them to be true.

This the 25th day of August, 1932.

W. B. Moore
Claimant

SWORN and subscribed to before me,
this the 25th day of August, 1932.

(Seal) Elizabeth Hardie
NOTARY PUBLIC.

MY COMMISSION EXPIRES:
July 28, 1934.

The request of Messrs. J. C. Cheesborough and J. Y. Jordan, Jr., attorneys representing operators of billiard parlors, that the City reduce the privilege tax on billiard parlors was on motion of Mr. Woodcock, seconded by Mr. Boyd, unanimously ordered referred to the Committee on Privilege Taxes.

Mr. Britt, Chairman, stated the Committee on Privilege Taxes had considered this request and recommended that the tax remain as adopted.

On motion of Mr. Wamboldt, seconded by Mr. Smith, voted on and carried, the recommendation of the Committee on Privilege Taxes was adopted.

The request of Mr. C. E. Anderson, a disabled soldier, for permission to peddle in the City without a license, was on motion of Mr. Smith, seconded by Mr. Devendorf, ordered referred to the City Manager.

Report of
Mr. Rigsby presented/the activities of the Inspector of Weights & Measure covering several months.

CAROLINA POWER & LIGHT CO.- RATES

Mr. Rigsby in reporting upon the hearing on public utility rates held in Raleigh stated the Carolina Power & Light Company made a report showing cause why it should not reduce its rates, but until a report of the hearing is made by the Corporation Commission no further action can be taken.

ORDINANCE REGULATING SALE OF FISH & FRESH MEAT

An ordinance repealing all ordinances pertaining to the restricted areas for the sale of fresh meats, dressed poultry, fish, or other perishable food products came up for consideration on its second reading. On motion of Councilman J. A. Woodcock, seconded by Councilman Wilkes Wamboldt, the ordinance was ordered tabled. All members voting "aye".

Ordinance #176- entitled An Ordinance Repealing all Ordinances Pertaining to the Restricted Areas for the Sale of Fresh Meats, Dressed Poultry or other Perishable Food Products and Regulating the Sale of Fish; being for the Preservation of the Public Peace and Safety is Hereby Declared and Emergency Ordinance, was presented and on motion of Councilman Julian A. Woodcock, seconded by Councilman Frank S. Smith, passed on its first reading. Voting "aye" Councilmen Boyd, Britt, Devendorf, Lipinsky, Smith, Wamboldt and Woodcock, voting "no", Councilman Brookshire, the ordinance was passed on its first reading.

Councilman Woodcock moved, seconded by Councilman Smith, that the rules be suspended and this ordinance placed on its second and third readings. Voting for the suspension of the rules, Councilmen Boyd, Britt, Devendorf, Lipinsky, Smith, Wamboldt and Woodcock, voting "no" Councilman Brookshire.

It was moved by Councilman Woodcock, seconded by Councilman Smith, that Ordinance No. 176 be passed on its second reading. Voting for the passage of the ordinance on its second reading, Councilmen Britt, Boyd, Devendorf, Lipinsky, Smith, Woodcock and Wamboldt, voting "no" Councilman Brookshire.

Councilman Woodcock moved, seconded by Councilman Smith that Ordinance No 176 be passed on its third and final reading. Voting "aye" for the adoption of the ordinance, Councilmen Boyd, Britt, Devendorf, Lipinsky, Smith, Wamboldt and Woodcock, voting "no" Councilman Brookshire.

It was moved by Councilman Woodcock, seconded by Councilman Boyd that the Ordinance #176 be declared an emergency ordinance to take effect upon its publication. Voting "aye" Councilmen Woodcock, Boyd, Britt, Devendorf, Lipinsky, Smith, Wamboldt and voting "no" Councilman Brookshire.



ORDINANCE #176

AN ORDINANCE REPEALING ALL ORDINANCES PERTAINING TO THE RESTRICTED AREAS FOR THE SALE OF FRESH MEATS, DRESSED POULTRY, OR OTHER PERISHABLE FOOD PRODUCTS AND REGULATING THE SALE OF FISH; BEING FOR THE PRESERVATION OF THE PUBLIC PEACE & SAFETY IS HEREBY DECLARED AN EMERGENCY ORDINANCE.

THE CITY COUNCIL OF THE CITY OF ASHEVILLE DO ORDAIN:

SECTION 1. That all ordinances now in force pertaining to restricted areas for the sale of fresh meats, dressed poultry, or other perishable food products are hereby repealed, but not as to fish.

SECTION 2. That before any person, firm or corporation can sell fish in any restricted area, as now established in the City of Asheville, an application for a permit so to do must be filed with the City Clerk giving the name and address of the applicant, and the place and street where it is desired to sell fish, which application shall be presented to the next regular meeting of the City Council for consideration; when if approved by the City Council, a permit may be granted.

SECTION 3. That any person, firm, or corporation selling fish under such permit shall comply with all sanitary and health regulations, and ordinances of the City of Asheville.

SECTION 4. That any person, firm, or corporation, violating any of the provisions of this ordinance, shall be subject to a penalty of fifty ($50.00) dollars for each and every such offense, and each day on which any such violation occurs shall constitute a distinct and separate offense.

SECTION 5. That all ordinances or clauses of ordinances in conflict herewith be and the same are hereby repealed.

SECTION 6. That this ordinance shall be in full force and effect from and after the 28th day of August, 1932.

I move the adoption of the foregoing ordinance, this the 25th day of August, 1932.

Julian A. Woodcock
COUNCILMAN

SECONDED BY: Frank S. Smith
COUNCILMAN

Read, approved, and adopted, this the 25th day of August, 1932, to become effective according to statute. Rules suspended and immediately put upon its second and third readings, and adopted and declared to be an ordinance of the City of Asheville.

Ottis Green
MAYOR

E. G. Thompson
CITY CLERK

APPROVED AS TO FORM:
J. G. Merrimon
CORPORATION COUNSEL.

NAMING A NEW PLACE

A motion was made by Mr. Woodcock, seconded by Mr. Boyd, that the old post office site be named "Johnson Place".

A substitution motion was offered by Mr. Smith, seconded by Mr. Boyd, that action be postponed in naming this plot. This motion on being put to a vote carried unanimously.

PLUMBING ORDINANCE

An Ordinance regulating plumbing in the City of Asheville was presented for consideration on its third reading.

It was moved by Mr. Boyd, seconded by Mr. Woodcock, voted on and carried, that action be deferred on the passage of this ordinance.

There being no further business, the meeting, on motion, adjourned.

Mayor Ottis Green

City Clerk

Thursday, September 1, 1932.- 4:30 P. M.

The City Council met in regular session; Mayor Green presiding. Present: Councilmen, Julian A. Woodcock, Wilkes Wamboldt, Frank S. Smith, Louis Lipinsky, Wilbur Devendorf, H. G. Brookshire, W. C. Britt and Plott Boyd, Corporation Counsel J. G. Merrimon and City Manager, R. W. Rigsby. The minutes of the previous meeting were read and approved.

Mr. Wamboldt moved, seconded by Mr. Britt, that the Council instruct Mr. Merrimon to perfect the appeal in the E. B. Atkinson & City vs. E. C. Greene et al case to the Supreme Court of North Carolina. This motion was unanimously carried.

Mr. J. W. Haynes filed petition signed by fifty property owners and merchants of North Lexington Avenue, requesting the Countil to repeal the ordinance regarding parking and charging fees to the farmer who sells his produce on Lexington Avenue.

It was moved by Mr. Devendorf, seconded by Mr. Wamboldt, that the Committee appointed on the Lexington Avenue Curb Market, including the City Manager, meet with the committee from the merchants and property owners, composed of Messrs. S. O. Bradley, J. M. Westall and G. F. Stradley.

Mr. J. C. Cheesborough, Attorney representing Charles Enman, Furrier, 60 Haywood Street, requested a reduction of the provilege tax of $50.00 due to the fact that his client only operates furs.

It was moved by Mr. Wamboldt, seconded by Mr. Smith, voted on and carried, that this matter be referred to the City Manager.

Mr. Rigsby in reporting on the complaint of Samuel Johnson, colored, stated that investigation disclosed the fact that the police entered Johnson's house on Short Street in search of a burglar, who has since been caught.

Mr. Rigsby presented a list of seventeen bus drivers on the West Asheville line who have complied with all the regulations of the jitney bus ordinance and recommended that permits be granted to the following applicants:

J. W. Samonds, two cars, J. B. Rumbough, M. A. Bishop, W. L. Ballard, Paul McMurray, Robert Wilbanks, J. A. Hodgers, Robert Ballard, E. E. Tracey, Mrs. W. S. Collins Ethel Wilbanks, W. C. Dean, three cars, Mrs. Mary L. Hutchinson and J. E. Metcalf.

It was moved by Mr. Woodcock, seconded by Mr. Wamboldt, voted on and carried that the recommendation of the City Manager in regard to jitney bus operators be accepted.

Mr. Woodcock suggested to the Council that all fish be cleaned away from the markets, and that an ordinance be enforced prohibiting the cleaning of fish inside the markets. Mr. Wamboldt moved that ordinance be repealed.

No action taken.

There being no further business, the meeting, on motion adjourned.

Mayor C. H. Green

City Clerk. E. G. Thompson



Thursday, September 8, 1932 4:30 P. M.

The City Council met in regular session; Mayor Green presiding. Present: Councilmen, Wilbur Devendorf, Plott Boyd, Frank Smith, Wilkes Wamboldt, Julian A. Woodcock, W. C. Britt and Ottis Green, Corporation Counsel, J. G. Merrimon and City Manager, R. W. Rigsby. The minutes of the previous meeting were read and approved.

Mr. Rigsby presented and read contracts for lighting the municipal building and the market building for a period of five years and recommended that the contracts be signed.

It was moved by Mr. Woodcock, seconded by Mr. Smith and unanimously carried that the recommendation of the City Manager be adopted and the contracts be signed by the proper officials.

On motion of Councilman Plott Boyd, seconded by Councilman Wilbur Devendorf An Ordinance Amending Sub-section Ten of Section Ten of Ordinance #171, being the Smoke Ordinance was unanimously passed on its first reading.

On motion of Councilman W. C. Britt, seconded by Councilman Frank S. Smith, An Ordinance Amending Ordinance #172, being "An Ordinance Levying, Assessing, Imposing and Defining the License and Privilege Taxes of the City of Asheville for the Fiscal Year Beginning June 1, 1932, and Ending May 31, 1933", was unanimously passed on its first reading.

Mr. Merrimon reporting on the claim of W. B. Moore, Administrator of the estate of E. B. Moore, deceased, for damages for injuries sustained by the late E. B. Moore by reason of falling into a pit in alley running parallel with Church Street, stated that the alley is privately owned and the City has no jurisdiction over same, the City is not liable.

In regard to the claim of Howard Murray, by his next friend, Mrs. Ollie Murray, for damages for injuries caused by the falling of a window on Valley Street, Mr. Merrimon reported that investigation showed the City is not liable.

Mr. Merrimon reported that the claim of Joseph Selby for damages for land taken by the City on Coxe and Buxton Streets had been investigated and that the City is not liable as the City had bought the property from N. G. Kambeles and others and has no claim for same.

There being no further business, the meeting, on motion, adjourned.

Mayor C. H. Green

City Clerk. E. G. Thompson

Thursday, September 15, 1932- 4:30 P. M.

The City Council met in regular session; Mayor Green presiding. Present: Councilmen Wilbur Devendorf, H. G. Brookshire, Plott Boyd, Frank S. Smith, Wickes Wamboldt, Julian A. Woodcock, Ottis L. Green and Louis Lipinsky, Corporation Counsel, J. G. McElmon and City Manager, R. W. Rigsby. The minutes of the previous meeting were read and approved.

An ordinance amending certain sections of Ordinance #172, being the Revenue Ordinance was introduced by Councilmen Wamboldt, seconded by Councilman Woodcock.

After considerable discussion in regard to paying privilege taxes in quarterly payments, Councilman Wamboldt withdrew the ordinance until next meeting and Mayor Green appointed Committee composed of Councilmen Smith, Lipinsky and Woodcock to study the proposed ordinance and the status of merchants in arrears on privilege taxes, report to be submitted at next meeting.

Commander Thomas Black of the local post of American Legion, requested that the City give the bevel coping removed from the site of the old post office to the American Legion for use on the plot where the unknown German sailors are buried in the Riverside Cemetery.

It was moved by Councilman Woodcock, seconded by Councilman Smith, and unanimously carried that the City donate the curbing as requested.

Mr. James S. Howell, Attorney representing certain merchants, some of whom were arrested for selling groceries on Sunday, appeared before the Council and requested that the Council consider the ordinance prohibiting the sale of certain commodities on Sunday with a view to allowing groceries to be sold on Sunday.

Councilman Smith moved, seconded by Councilman Woodcock, that the matter be referred to the Corporation Counsel for report on the legality of keeping grocery stores open on Sundays. This motion carried unanimously.

On motion of Council Louis Lipinsky, seconded by Councilman Julian A. Woodcock Ordinance #177- entitled An ordinance repealing certain sections of Ordinance #173, being "An ordinance to regulate the sale of food supplies, vegetables, fruits, farm products of any kind, meats, dairy products, and other merchandise on Lexington Avenue in the City of Asheville": and being for the immedaite preservation of the public peace, welfare, safety and health of the City of Asheville it is hereby declared an emergency ordinance, was passed on its first reading. All Councilmen present voting for the passage of the ordinance on its first reading.

Moved by Councilman Frank S. Smith, seconded by Councilman Julian Woodcock, that the rules be suspended and the ordinance immediately put upon its second and third readings, Voting for the suspension of the rules, Councilmen, Smith, Woodcock, Wamboldt, Boyd, Brookshire, Devendorf and Lipinsky.

On motion of Councilman Louis Lipinsky, seconded by Councilman Wilbur Devendorf Ordinance #177 was unanimously passed on its second reading. All members voting "aye".

Councilman Wickes Wamboldt moved, seconded by Councilman H. G. Brookshire, that Ordinance #177 be passed on its third and final reading and being declared an emergency ordinance to take effect upon its publication. All members voting for the adoption of the ordinance.

ORDINANCE #177

AN ORDINANCE REPEALING CERTAIN SECTIONS OF ORDINANCE #173, BEING "AN ORDINANCE TO REGULATE THE SALE OF FOOD SUPPLIES, VEGETABLES, FRUITS, FARM PRODUCTS OF ANY KIND, MEATS, DAIRY PRODUCTS, AND OTHER MERCHANDISE ON LEXINGTON AVENUE IN THE CITY OF ASHEVILLE"; AND BEING FOR THE IMMEDIATE PRESERVATION OF THE PUBLIC PEACE, WELFARE, SAFETY, AND HEALTH OF THE CITY OF ASHEVILLE IT IS HEREBY DECLARED AN EMERGENCY ORDINANCE.

THE CITY COUNCIL OF THE CITY OF ASHEVILLE DO ORDAIN:

SECTION 1. That the following sections of ordinance #173, being "An Ordinance to Regulate the Sale of Food Supplies, Vegetables, Fruits, Farm Products of any kind, Meats, Dairy Products, and Other Merchandise on Lexington Avenue in the City ofAsheville", are hereby repealed:

Section 1,
Section 2,
Section 3,
Sub-section d of Section 4,
Sub-section e of Section 4,
Sub-section h of Section 4,
Section 5.



SECTION 2. That all ordinances [illegible] in full force and effect.

SECTION 3. That this ordinance, being for the immediate preservation of the public peace, welfare, safety and health of the City of Asheville, is hereby declared an emergency ordinance, and shall be in full [illegible] after its passage by the City Council and the publication in a newspaper having the largest or second-largest [illegible].

I move the adoption of the foregoing ordinance, this [illegible] September, 1932.

Louis Lipinsky

Seconded by: Julian [illegible]

Rules suspended and immediately put upon its [illegible] and declared to be an ordinance of the City of Asheville [illegible] statute the 17th day of September, 1932.

Read, [illegible] and adopted, this the [illegible]

Ottis L. Green

[illegible]

[illegible]

APPROVED AS TO FORM:
J. G. McElmon

CORPORATION COUNSEL.

It was moved by Councilman Woodcock, seconded by [illegible] privilege taxes paid in accordance with the requirements of [illegible]

On motion of Councilman Plott Boyd, seconded by Councilman H. G. [illegible] resolution approving temporary budget for the month of August, [illegible]

RESOLUTION APPROVING TEMPORARY BUDGET FOR THE MONTH OF [illegible]

WHEREAS, Chapter 282, Public Laws of [illegible] Session 1931, provides that all budgets must [illegible] Control for approval; and

WHEREAS, the permanent budget [illegible] day of June, 1932, not having been submitted [illegible] the City Council, it is necessary in order [illegible] month of August, 1932, to have a supplemental [illegible] Financial Control in the amount of sixty-[illegible] dollars and nine cents ($63,814.09), for [illegible]

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ASHEVILLE:

That a budget of sixty-[illegible] and nine cents ($63,814.09) be approved by [illegible] of all departments in the City of Asheville [illegible] resolution be submitted to the Board of Finance [illegible]

I move the adoption of the foregoing resolution, upon theminutes by the City Clerk, this the [illegible]

Seconded by: H. G. [illegible]

APPROVED AS TO FORM:
J. G. McElmon
CORPORATION COUNSEL

, ... ved, and adopted, this the 15th day of September, 1932.

Ottis Green
MAYOR

E. G. Thompson
CITY CLERK

APPROVED AS TO FORM:
J. G. Merrimon
CORPORATION COUNSEL.

... approved by the Board of Financial Control at its regular meeting held the ... day of _____, 1932.

_____
CHAIRMAN

ATTEST: _____
SECRETARY.

On motion of Councilman Frank S. Smith, seconded by Councilman Wilbur Devendorf resolution approving temporary budget for the month of Sept. 1932 was unanimously adopted:

RESOLUTION APPROVING TEMPORARY BUDGET FOR THE MONTH OF SEPT. 1932

WHEREAS, Chapter 136, Public Local and Private Laws of North Carolina Session 1931, provides that all budgets must be submitted to the Board of Financial Control for approval; and

WHEREAS, the permanent budget submitted to the City Council on the ... day of June, 1932, not having been submitted to the Board of Financial Control by the City Council, it is necessary in order to operate the City of Asheville for the month of Sept. 1932, to have a supplementary budget approved by said Board of Financial Control in the amount of sixty-three thousand, eight hundred and fourteen dollars and nine cents ($63,814.09), for operating expenses during the said month.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ASHEVILLE:

That a budget of sixty-three thousand, eight hundred and fourteen dollars and nine cents ($63,813.09) be approved by the City Council for the operating expenses of all departments in the City of Asheville for the month of Sept. 1932, and that this resolution be submitted to the Board of Financial Control for approval.

I move the adoption of the foregoing resolution, and that the same be spread upon the minutes by the City Clerk, this the 15th day of September, 1932.

Frank S. Smith
Councilman

Seconded by: Wilbur Devendorf
Councilman

APPROVED AS TO FORM:
J. G. Merrimon
CORPORATION COUNSEL.

... approved, and adopted, this the 15th day of September, 1932.

Ottis Green
MAYOR

E. G. Thompson
CITY CLERK.

APPROVED AS TO FORM:
J. G. Merrimon
CORPORATION COUNSEL.

Approved by the Board of Financial Control at its regular meeting held the ... day of _____, 1932.

_____
Chairman

ATTEST: _____
Secretary



September 15, 1932
September 22, 1932

On motion of Councilman Plott Boyd, seconded by Councilman ... An Ordinance changing the name of Government Street to College Street and changing numbers on College Street to begin at Patton Avenue, running continuously to ... was unanimously passed on its first reading.

On motion of Councilman Devendorf, seconded by Councilman Smith An Ordinance amending Ordinance #172, being "An Ordinance Levying, Assessing, Imposing and Determining the License and Privilege Taxes of the City of Asheville for the fiscal year beginning June 1, 1932 and ending May 31, 1933 was unanimously passed on its second reading.

On motion of Councilman Boyd, seconded by Councilman W... An Ordinance amending sub-section ten of Section ten of Ordinance #171, being the ... was unanimously passed on its second reading.

There being no further business, the meeting, on motion, adjourned.

Mayor

City Clerk.

Thursday, September ..., 1932 ... P. M.

The City Council met in regular session; Mayor ... presiding. Present: Councilmen, Plott Boyd, W. C. Britt, H. G. Brookshire, Wilbur Devendorf, Ottis Green, Frank S. Smith, Louis Lipinsky, Wickes Wamboldt and Julian A. Woodcock, Corporation Counsel, J. G. Merrimon and City Manager, R. W. Rigsby. The minutes of the previous meeting ... read and approved.

... report of the Special License Tax Extension Committee was submitted recommending that the ordinance be enforced as originally written, the levy of ... all taxes uniformly.

It was moved by Councilman Devendorf, seconded by Councilman Britt that the report of the Committee be adopted. Voting "aye" Councilmen, Boyd, Britt, Brookshire, Devendorf, Green, Smith, Lipinsky and Woodcock, "no" Councilman Wamboldt, the motion ... carried.

September ..., 1932.

To the Honorable Mayor and Council
of the City of Asheville.

Gentlemen:

Your committee on Special License Tax Extension has carefully considered the subject and submits the following report:

1. In our opinion the time is inopportune for the ... suggestion. Out of 2,000 bills rendered 1,200 have been paid in full. In other words, out of a total tax budget of $66,000.00, $45,000.00 has been paid, leaving a balance of only $21,000.00 yet to be collected. It would seem unfair to those who have paid to establish a different ruling for those who have not. Furthermore, such a step would have a tendency to weaken the law in future years.

2. A careful analysis of the possible paying ability of those in arrears indicates that a relatively small number would be unable to pay the tax. As the eight hundred and ... bills represent only the number delinquent it follows that only a small per cent of those now in arrears will not pay; probably not more than two and one-half per cent of the ..., be subject to the tax. We do not think this showing justifies the suggested change in the law.

3. It is estimated that under such a change the uncollectable taxes would be increased about $5,000.00 and the extra expense for handling about $500.00. This increased expense to the City would be several times the amount involved in the extension.

September [illegible]

1. The payment of privilege taxes will always seem an added burden. Would that we could abolish them altogether. This is impossible, however, as they are necessary for the balancing of our city budget and the giving of the services demanded by our people. As long as such taxes are levied it is necessary that they be collected in a systematic and businesslike manner and on as stable and uniform a basis as possible. Excluding the larger corporations the average special tax is about $60.00. It does not seem reasonable to conclude that this one item could be responsible for any merchant's failure in business. Your Committee sympathizes with any man who is having difficulty in paying his privilege tax, but we do not believe the small number who cannot pay, or the amount involved, justifies the change in the law which has been in satisfactory operation for many years.

We recommend, therefore, that the ordinance be enforced as originally written, thereby treating all taxpayers uniformly. To do otherwise would place the government in an untenable position.

Respectfully submitted

Frank S. Smith
Julian A. Woodcock
Louis Lipinsky
COMMITTEE.

Mr. Charles A. McCrea, Attorney for Mrs. Mabel Marlow, filed notice of claim for damages for injuries sustained by reason of falling on Eagle Street.

On motion of Councilman Smith, seconded by Councilman Britt the claim was unanimously referred to the Corporation Counsel.

TO THE MAYOR AND COUNCILMEN OF THE CITY OF ASHEVILLE, TAKE NOTICE:

1. That the undersigned, Mrs. Mabel Marlow, is a white woman, married with several small children, and lives with her husband, Fred W. Marlow, on R. F. D. No. 1, Fairview, Buncombe County, North Carolina.

2. That on September 17, 1932, the undersigned was walking on and along the sidewalk on the North side of Eagle Street in the City of Asheville, with a small child in her arms, and while so walking along that part of said sidewalk approximately in front of that certain place of business known as The Citizens' Club, 8-10 Eagle Street and at or about where Wilson's Alley or Street runs into and intersects said Eagle Street, the undersigned, while walking as aforesaid with the baby in her arms, stepped upon a loose brick resting in and being a part of said sidewalk and said loose brick turned under the foot of the undersigned, causing her to be thrown violently to the sidewalk.

3. That by reason of the fall as set out above, the undersigned was seriously hurt; her knees came into violent contact with said sidewalk and said knees were severely and seriously bruised and otherwise injured and the undersigned, by reason of the fact that though she was falling nevertheless saved the baby from likewise being thrown to the sidewalk, received a wrenched back, and the undersigned is seriously injured by reason of the fall herein described.

4. That the undersigned is informed and believes that the patellas of both knees are permenently injured andthat in all probability the undersigned will be crippled for life, not only from the injured patellas but from the wrenched back.

5. That the sidewalk at the point described above in paragraph of this notice, is in very poor condition, with loose bricks scattered here and there and constituting and composing a trap to the pedestrians who pass on and along said sidewalk and the undersigned, not being familiar with the dangerous condition of said sidewalk, was by and through the poor condition of said sidewalk, as aforesaid, caused to fall and thereby suffered serious and permenent injuries.

6. That the undersigned hereby makes claim upon the Mayor and Councilmen of said City of Asheville by reason of the serious and permanent injuries as herein described for the sum of $2,000.00 as damages for said injuries.

This the 22nd day of September, 1932.
Mrs. Mabel Marlow

By Charles A. McCrea
Attorney for Mrs. Mabel Marlow.



ORDINANCE TO PROHIBIT [illegible]
Charles G. Lee Jr.

Mr. Charles G. Lee Jr., representing the Asheville Merchants Association, presented a draft of ordinance to define temporary stores and to fix an occupational tax on such temporary stores in the City of Asheville, and to provide for the collection of said occupational tax, for non-payment, and for other purposes, for the consideration of the Council, and asked that the ordinance be passed as an emergency ordinance.

It was moved by Councilman Wamboldt, seconded by Councilman Smith and unanimously carried that action be postponed for study of the ordinance.

REFUND
Paul Abernathy

Mr. Paul Abernathy appeared before the Council and requested a refund of meter rent paid on meter owned by his mother at 263 Haywood Street .

On motion of Councilman Lipinsky, seconded by Councilman Smith, this matter was unanimously referred to the Corporation Counsel.

[illegible]

Mr. James S. Howell, Attorney for several grocers, requested that some change be made in the ordinance governing sales of merchandise on Sundays that all stores may be treated fairly.

A committee composed of Councilmen Devendorf, Britt and Boyd was appointed to make a study of the ordinance and report back to the Council.

CITY CHARTER
REPORT & CORRESPONDENCE

A letter from J. G. Merrimon, Corporation Counsel setting forth the necessity of revising and clarifying the new City Charter and suggesting that the Council appoint a representative committee to draft a charter for submission to the Legislature at the coming session was read to the Council. The Clerk was instructed to furnish each member of the Council with a copy of Mr. Merrimon's letter for study.

ORDINANCE #178- ADOPTED

On motion of Councilman Woodcock, seconded by Councilman Devendorf, Ordinance #178, entitled "An ordinance amending ordinance #172, being "An ordinance levying, assessing, imposing and defining the license and privilege taxes of the City of Asheville for the fiscal year beginning June 1, 1932, and ending May 31, 1933" was unanimously passed on its third reading all members of the Council voting for the adoption of the ordinance.

ORDINANCE #178

AN ORDINANCE AMENDING ORDINANCE #172, BEING "AN ORDINANCE LEVYING, ASSESSING, IMPOSING AND DEFINING THE LICENSE AND PRIVILEGE TAXES OF THE CITY OF ASHEVILLE FOR THE FISCAL YEAR BEGINNING JUNE 1, 1932, AND ENDING MAY 31, 1933"

THE CITY COUNCIL OF THE CITY OF ASHEVILLE DO ORDAIN:

SECTION 1. That Section 15 under the heading of "Clothing, Second-hand", be amended by striking out "$100.00" and inserting in the place thereof $50.00.

SECTION 2. That Section 15 under the heading "Produce and Fruits", be amended by striking out, in paragraph 3, "$100.00", and inserting in the place thereof $50.00; and that paragraph 4 shall be amended to read as follows:

"This tax shall not apply to farmers selling or offering for sale fresh fruits, vegetables, or farm products grown by seller."

I move the adoption of the foregoing ordinance, this the 8th day of September, 1932.

W. C. Britt
COUNCILMAN

Seconded by:

Frank S. Smith
COUNCILMAN

Read, approved and adopted, this the 22nd day of September, 1932, and declared to be an ordinance of the City of Asheville, effective according to statute the 8th day of October, 1932.

Ottis Green
MAYOR

APPROVED AS TO FORM:
J. G. Merrimon
CORPORATION COUNSEL

E. G. Thompson
CITY CLERK

September 22, 1932

It was moved by Councilman Smith, seconded by Councilman Boyd, that Ordinance #1[illegible] entitled An ordinance amending sub-section ten of section ten of ordinance #171, being the Smoke Ordinance be passed on its third and final reading and declared to be an ordinance of the City of Asheville effective the 8th day of October, 1932. This motion on being put to a vote, all members of the Council voting "aye", carried.

ORDINANCE #173

AN ORDINANCE AMENDING SUB-SECTION TEN OF SECTION TEN OF ORDINANCE #171, BEING THE SMOKE ORDINANCE.

THE CITY COUNCIL OF THE CITY OF ASHEVILLE DO ORDAIN:

That the word "not" be striken out in sub-section ten of section 10, in line three after the word "with" and before the word "some", ordinance #171, being the Smoke Ordinance.

I move the adoption of the foregoing ordinance, this the 8th day of September, 1932.

Plott Boyd
COUNCILMAN

Seconded by: Wilbur Devendorf
COUNCILMAN

Read, approved and adopted, this the 22nd day of September, 1932, and declared to be an ordinance of the City of Asheville effective according to statute the 8th day of October, 1932.

Ottis Green
MAYOR

E. G. Thompson
CITY CLERK

APPROVED AS TO FORM:
J. G. Merrimon
CORPORATION COUNSEL.

On motion of Councilman Woodcock, seconded by Councilman Wamboldt, An Ordinance changing the name of Government Street to College Street and changing numbers on College Street to begin at Patton Avenue, running continuously to Beaucatcher Gap was unanimously passed on its second reading.

There being no further business, the meeting, on motion, adjourned.

[illegible]
City Clerk



Thursday, September 22, 1932 - 4:00 P. M.

The City Council met in regular session; Mayor Green presiding. Present: Councilmen Julian Woodcock, Wickes Wamboldt, Frank S. Smith, Plott Boyd, W. F. Ingle, E. G. Brookshire, Wilbur Devendorf, Louis Lipinsky, and Ottis L. Green, Campbell C. Cowan, J. G. Merrimon and City Manager, R. W. Rigsby. The minutes of the previous [illegible] read and approved.

[illegible]

On motion of Councilman Boyd, seconded by Councilman Lipinsky, the [illegible] instructed to confer with the Governor of the State immediately in [illegible] about offering a reward for the apprehension and conviction [illegible] G. Russell on Tuesday Night.

[illegible]

The Optimist Club offered a resolution which [illegible] on September 22nd recommending to the City Council that [illegible] the conversion of the City Market into a central terminal bus station.

No action taken.

CIVIC BAN-FOOTBALL
COSMIC CLUB

On motion of Councilman Lipinsky, seconded by Councilman Brookshire, the City Council accepted the invitation of the Cosmic Club to attend the football game on Friday, the 30th between Asheville High School and Gastonia High at Memorial Stadium.

INTERNATIONAL CITY [illegible]
CONFERENCE

An invitation to the Councilmen and the City Manager to attend the [illegible] of the International City Managers' Association to attend the [illegible] in Cincinnati, October 24-28 was presented and on motion of Councilman [illegible], seconded by Councilman Smith the Mayor and CityManager were appointed [illegible] conference.

BEAUMONT STREET-ASSESSMENTS
MOOR BRYSON ATTY.

The request of Moor Bryson, attorney, [illegible] Beaumont street be relieved of assessments due to the fact that [illegible] maps the lot had not been divided, was on motion of Councilman [illegible], Councilman Boyd referred to the Corporation Counsel.

ORDINANCE #180- FINAL R[illegible]

On motion of Councilman Woodcock, seconded by Councilman [illegible], an Ordinance #180 entitled An Ordinance Changing the name of Government Street to College Street and changing numbers on College Street to begin at Patton Avenue, running continuously to Beaucatcher Gap was passed on its third and final reading, all members of the Council voting "aye", the ordinance was adopted and declared to be an ordinance of the City of Asheville effective October 14, 1932.

AN ORDINANCE CHANGING THE NAME OF GOVERNMENT [illegible] NUMBERS ON COLLEGE [illegible] TO BEGIN AT PATTON AVENUE, [illegible], TO BEAUCATCHER GAP.

THE CITY COUNCIL OF THE CITY OF [illegible]:

That the name of Government Street, [illegible] to Haywood Street, be changed to College Street, [illegible] be changed beginning at Patton Avenue [illegible] continuously to Beaucatcher Gap.

I move the adoption of the foregoing ordinance, [illegible] September, 1932.

Plott Boyd
COUNCILMAN

Seconded by: Frank S. Smith
COUNCILMAN

Read, approved and adopted and ordered [illegible] of Asheville, effective according to statute the 14th day of Oct., 1932.

Ottis Green
MAYOR

E. G. Thompson
CITY CLERK

APPROVED AS TO FORM:
J. G. Merrimon
CORPORATION COUNSEL.

Mr. Rigsby presented Resolution of Board of Financial Control approving budget [illegible] report of the City Manager to the City Council.

[illegible] by Councilman Woodcock, seconded by Councilman Britt, that the [illegible] and become a part of the minutes of the proceedings of the City Council of the City of Asheville and the resolution as submitted to the City Council by the Board of Financial Control on September 29, 1932, be adopted and is hereby approved by this Council to prepare the budget for the fiscal year 1932-33

[illegible] Council present and voting for the adoption of the said resolution [illegible] of Financial Control and the adoption of the City Manager's report [illegible], who voted "no".

RESOLUTION OF BOARD OF FINANCIAL CONTROL
APPROVING BUDGET OF CITY OF ASHEVILLE.

[illegible] that the Board of Financial Control, in the exercise of its discretion, remove from the budget submitted to it by the Council of the City of Asheville, covering the operations of said City for the fiscal year beginning July 1, 1932, the items inserted therein totaling $467,697.68, covering the payment of principal note maturities and/or principal bond maturities [illegible] City for said fiscal year, and for the period of twenty-five years thereafter, and advise the Council of said City to fund or refund said [illegible] in the manner provided by law.

RESOLVED, further, that said budget, after amendment as aforesaid, which as [illegible] provides for appropriations to cover expenditures by funds as hereinafter set out, estimates revenues from sources other than ad valorem taxation applicable to purposes as hereinafter set out, and contemplates the levy of ad valorem taxes to raise sums for separate purposes as hereinafter set out, be and the same is hereby approved.

| | | |
|---|---|---|
| General Fund | $ 704,660.00 | |
| Revenue from sources other than ad valorem taxation | 525,957.34 | |
| Amount to be raised by taxation | 178,702.66 | |
| Estimate of uncollectible taxes | 16,351.01 | |
| Total of General Fund . . . . . | 195,053.67 | $ 195,053.67 |
| Debt Service Fund, to be raised by taxation (no other revenue) | 590,951.21 | |
| Estimate of uncollectible taxes | 59,095.12 | |
| Total Debt Service Fund | 650,046.33 | 650,046.33 |
| Chamber of Commerce Fund | 25,000.00 | |
| Estimate of uncollectible taxes | 2,500.00 | |
| Total Chamber of Commerce Fund | 27,500.00 | 27,500.00 |
| TOTAL LEVY . . . . . | | $ 872,600.00 |

SUMMARY OF UNIFORM ANNUAL BUDGET ESTIMATE
OF CITY OF ASHEVILLE, North Carolina.
For the Fiscal Year Beginning July 1, 1932 and Ending June 30, 1933.

| | General Fund | Debt Service Fund | Chamber of Commerce | Total |
|---|---|---|---|---|
| A. Total Estimate of Expenditure Requirements | 689 660 00 | 590,951 21 | 25 000 00 | 1 305 611 |
| B. Emergency (Not to exceed 5% of A) | 15 000 00 | (Contingency) | | 15 000 |
| D. Total Budget Requirements A- B- C | 704 660 00 | 590 951 21 | 25 000 00 | 1 320 611 |
| E. Estimate of Income from Sources other than Taxes to be levied | 525 957 34 | | | 525 957 |
| H. Total Estimate of Revenue to be Available other than Tax Levy(E- F - G) | 525 957 34 | | | 525 957 |
| I. Revenue from Tax Levy required to Balance Budget (1--) | 178 702 66 | 590 951 21 | 25,000 00 | 794 654 |
| J. Estimate of Uncollectible Taxes | 16 351 01 | 59 095 12 | 2 500 00 | 77 946 |
| L. Total Amount of Tax Levy ( I- J- K) | 195 053 67 | 650 046 33 | 27 500 00 | 872 600 |
| M. Estimate of Property Valuation | 100 300 000 00 | 100 300 000 00 | 100 300 000 00 | 100 300 000 |
| N. Estimate of Rate of Taxes to be Levied on $100 Valuation | .1944 | .6480 | .0274 | .8698 |
| O Tax Rate of Last Preceding Year | .10 | .86 | | .96 |

City Accountant H. E. Davis



September [illegible], 1932.

To the Mayor and City Council of the
City of Asheville, North Carolina.

Gentlemen:

The budget which I am presenting you, [illegible] $27,256.04 from the operation bduget previously [illegible] your board of $756,918.04, and sent to the Board of Financial Control for their approval.

While you as members of the City Council are familiar with the items effected by this reduction, they are not [illegible] of this report. The budget when adopted will be presented to the Board of Financial Control for final approval.

The budget originally presented and adopted by your [illegible] represented what the administration was convinced, and is still convinced, was a minimum for efficient and economical administration of the city's affairs. It is felt, however, that the small amount of difference between the city administration and the Board of Financial Control is of less importance at this time than the necessity and expediency of maintaining harmony, [illegible] to the satisfactory solution of our debt obligations, which Board of Financial Control has been so instrumental in promoting

One item that is changed in the revenue side of our budget at the suggestion of the Board of Financial Control, is interest on penalties on back taxes. In making our budget we estimated only $10,000 to be derived from this source, due to the possible action of the legislature on this subject.

The Board of Financial Control has agreed to [illegible] in addition, and we are doing this under the heading "Board of Financial Control Estimate".

I suggest that this brief report be made a part of the minutes of this meeting.

Respectfully submitted,

R. W. Rigsby
City Manager.

[illegible]

Mr. Merrimon in reporting on his investigation at the request of Mr. Paul Abernathy for a refund of meter rent, stated that the records in the [illegible] Department showed that the City of Asheville owns the meter in question, and he recommended that the claim be disallowed.

It was moved by Councilman Devendorf, seconded by Councilman Woodcock, that Mr. Merrimon's report be accepted and Mr. Abernathy be submitted the [illegible] in the Water Department. This motion carried unanimously.

CITY [illegible] BONDS
[illegible]

Mr. Rigsby recommended that the name of Henry Gudger [illegible] the schedule of bonds required of the various officials of the City, bond to be in the amount of $2,000.00

It was moved by Councilman Boyd, seconded by Councilman Devendorf that the recommendation of the City Manager be accepted. Motion was unanimously carried.

[illegible] CHECKS

On motion of Councilman Wamboldt, seconded by Councilman [illegible], the City Attorney and Corporation Counsel were instructed to submit reports on [illegible] checks held by the City of Asheville.

There being no further business, the [illegible].

Mayor

City Clerk.

Thursday, October 6, 1932- 4:30 P. M.

The City Council met in regular session; Mayor Green presiding. Present: Councilmen: Flott Boyd, W. C. Britt, H. G. Brookshire, Wilbur Devendorf, Ottis L. Green, Louis Lipinsky, Frank S. Smith, Wilkes Wambolt and Julian A. Woodcock, and City Manager, R. W. Rigsby. The minutes of the previous meeting were read and approved.

Application of J. W. Gentry for permit to operate a fish market at the corner of College Street and Spruce Street in connection with Mr. Osborn's Meat Market, was presented and on motion of Councilman Woodcock, seconded by Councilman Lipinsky, ordered that action be postponed for one week for investigation, and referred to the City Manager and the City Health Officer.

Mr. E. S. Hartshorn, Attorney, filed notice of claim of the United States Fidelity and Guaranty Company, holder of note assumed by the City of Asheville in settlement of damages awarded to William Ray Griffin by the jury in widening and extension of Davidson Street, against the City of Asheville for $50,000.00 and interest at the rate of 6% from November 12, 1931.

It was moved by Councilman Boyd, seconded by Councilman Smith, and carried that the notice of claim be referred to the Corporation Counsel.

STATE OF NORTH CAROLINA )
COUNTY OF BUNCOMBE )

BEFORE THE COUNCIL OF THE CITY OF ASHEVILLE

IN RE: CLAIM OF THE UNITED STATES FIDELITY AND GUARANTY COMPANY,

-vs-

CITY OF ASHEVILLE.

The United States Fidelity and Guaranty Company, a corporation of the State of Maryland, with its principal office in Baltimore, Maryland, hereby makes claim and gives notice of its claim against the City of Asheville in writing, upon the grounds hereinafter set forth, that is to say:

1. That heretofore, to-wit, 12 November, 1926, one William Ray Griffin and Edith L. Griffin, his wife, executed their notes, under seal, payable to bearer, in the total amount of Sixty Thousand Dollars ($60,000.00), which notes are described in a certain deed of trust registered in the office of the Register of Deeds for Buncombe County, in Book 256, page 48, which deed of trust described a certain piece of land, lying and being in the City of Asheville, fronting 100 feet on Valley Street, in said City, on which land is located a brick building, two stories high, containing four store rooms on the first floor and apartments on the second floor.

2. That thereafter, to-wit, on or about 18 April, 1927, the Board of City Commissioners of the City of Asheville, desired to widen and extend Davidson Street from Eagle to Valley Streets, and after having conferred with the said Griffin, owner of the aforesaid property, subject to the said deed of trust, the said parties did not reach an agreement as to the amount of damages to be paid to said landowner and, thereafter, to-wit, 21 April, 1927, the City of Asheville authorized initiation of condemnation proceedings uder its charter and the general laws of the State of North Carolina, for the purpose of assessing the benefits and damages incident to the widening of said Davidson Street, and such proceedings were, thereupon, had, resulting in report of the jury awarding damages to various parties, inthe total sum of One Hundred Nine Thousand Two Hundred Dollars ($109,200.00) and of said sum Seventy-five Thousand Dollars ($75,000.00) was awarded as damages to the said Griffin, on account of his ownership of the lands sought to be taken from the lands described in the aforesaid deed of trust, and no appeal was taken from said report by either the City of Asheville or said landowner, and the said report thereby became a judgment.

3. That thereafter, pursuant to an agreement between the said Griffin and the City of Asheville, the said damages so awarded to said Griffin was settled as follows: The said William Ray Griffin and wife, Edith L. Griffin executed their deed to the City of Asheville, dated 21 March, 1928, which deed was accepted by the City of Asheville and registered in the office of the Register of Deeds for Buncombe County, in Book 390, page 205, and in said deed the said Griffin and his wife conveyed to the City of Asheville that portion of the property described in the aforesaid deed of trust that was embraced in the proposed extension of Davidson Street, and for the purpose of settling the said $75,000.00 award of damages to the said Griffin, the said City of Asheville, in said deed expressly assumed and agreed to pay the indebtedness set out and described in the aforesaid deed of trust, in the sum of Sixty Thousand Dollars ($60,000.00) with interest as provided in the notes secured thereby, and did pay in settlement of the excess of said award above sixty



thousand dollars, Twelve Thousand Five Hundred Dollars ($12,500.00) to the said Griffin.

4. That on account of the said condemnation proceedings, award of damages to the said Griffin, and the settlement of the same as hereinbefore set out, the said condemnation proceedings became complete, executed and satisfied, and the said sum of Sixty Thousand Dollars ($60,000.00) which had been assessed in favor of the said Griffin was, thereby, agreed to be paid to the owner and holder of the notes secured in said deed of trust, as a part of the settlement of said award of damages, and at the request of the said Griffin, the said payment of $12,500.00 having been made 26 March, 1928, the said City of Asheville entered into possession of the said property described in the said Griffin deed and did, thereafter, collect rents from said property and did continue in possession thereof and did in all respects, ratify and confirm and accept the said settlement and deed for said property and the benefits arising therefrom.

5. That the City of Asheville has since the aforesaid settlement paid on the said $60,000.00 notes Ten Thousand Dollars ($10,000.00), and has paid the interest up to November 12, 1931, leaving only one of said notes in the sum of Fifty Thousand Dollars ($50,000.00) due and unpaid.

6. That the said United States Fidelity and Guaranty Company is now the owner and holder of the said note secured under the aforesaid Griffin deed of trust in due course and is entitled to collect the same, and demand has been made upon the City of Asheville for the payment of the same, and the said City of Asheville has failed to pay the same.

7. That after making the said payments as aforesaid and after having entered into possession of the said property conveyed to it and after having received rents therefor, said City of Asheville, on April 7, 1932, while still retaining title to the property described in the said deed from William Ray Griffin and wife to the City of Asheville, attempted to abandon and discontinue the aforesaid condemnation proceedings and to cause notice to be given that the City of Asheville did not recognize as valid the deed from the said Griffin and his wife to the City of Asheville, and in said notice, the said City of Asheville did attempt to repudiate said agreement to pay to the holder of said note such sum as equalled the indebtedness set out and described in the aforesaid deed of trust executed by said Griffin and his wife, which deed of trust, and the said indebtedness therein secured, as well as the note therein described, are the property of the said United States Fidelity and Guaranty Company.

8. That the said United States Fidelity and Guaranty Company is informed and believes, and therefore alleges, that when the City of Asheville agreed to assume and pay so much of said amount of damages as equalled the indebtedness set out in the said Griffin deed of trust and became liable for the same, that the said indebtedness was assumed and so agreed to be paid as a method of payment of theaward of damages to and for the said Griffin, pursuant to an agreement of compromise and settlement thereof, had between the said City of Asheville and the said Griffin, and that the said City of Asheville agreed by the acceptance of that deed to pay Sixty Thousand Dollars ($60,000.00) of said award of damages to the owner and holder of the said notes secured by said Griffin deed of trust and on account of the acceptance of said conveyance and the said agreement so to pay the said award of damages and its entering into the possession of the said property, did receive all benefits therefrom in the way of rents and profits arising from said property; that the said condemnation proceedings became executed, completed and satisfied and the said City of Asheville ratified the entire transaction and became liable to pay the said award as agreed upon with the said William Ray Griffin aforesaid, and the said United States Fidelity and Guaranty Company became entitled to receive so much thereof as equalled its said note, and that the said City of Asheville is now estapped from denying its liability to pay to the said United States Fidelity and Guaranty Company, the holder of the said note secured under the said Griffin deed of trust, in accordance with its agreement, as aforesaid, and that the City of Asheville is indebted to the United States Fidelity and Guaranty Company in the sum of Fifty Thousand Dollars ($50,000.00), with interest thereon at the rate of 6% per annum from November 12, 1931.

WHEREFORE, said United States Fidelity and Guaranty Company claims and demands payment of said sum of Fifty Thousand Dollars ($50,000.00), with interest thereon at the rate of 6% per annum from November 12, 1931.

UNITED STATES FIDELITY AND GUARANTY COMPANY

BY Hazel, Shuford & Hartshorn

Attorneys.

EDNA HAMPTON BRITT, . . .
A. B. HAMPTON, F. B. HAM
So. Beaumont Sts. & Velve

A petition filed by W. C. Hampton, Attorney, for Edna Hampton Britt, A. B. Hampton, F. B. Hampton and J. E. Hampton, requesting that the City Council authorize that property on the corner of South Beaumont Street and Velvet Street be advertised and sold at public auction, due to the fact that the building laps over on city property both on South Beaumont Street and Velvet Street was presented and on motion of Councilman Woodcock, seconded by Councilman Devendorf, unanimously referred to the Corporation Counsel.

IN RE:
EMMA HAMPTON BRITT
R. B. HAMPTON
A. B. HAMPTON
F. B. HAMPTON
J. E. HAMPTON

PETITION

TO THE HONORABLE BOARD AND CITY COUNCIL OF ASHEVILLE, NORTH CAROLINA:

Your petitioners: Emma Hampton Britt, R. B. Hampton, A. B. Hampton, F. B. Hampton and J. E. Hampton, were conveyed property on corner of South Beaumont and Velvet Street by Lewis Barber; said property being shown as loy 55½ sheet 5 ward 1 of City tax map. Your petitioners find that the City of Asheville by virtue of tax title for 1924-25-26 holds title to the above mentioned property. The above petitionors also finds that the building on this property laps over on other city property about two feet on South Beaumont Street and about two feet on Velvet Street. The City of Asheville attempted by two deed recorded in the office of Register of Deeds to convey this lappage to a former owner, but your petitioners are informed that these deeds do not convey title becaue said property was not advertised as required by law.

WHEREFORE, your petitioners prays: That the City Council of Asheville, North Carolina authorize the above mentioned properties be adveritsed and sold at public auction.

W. C. Hampton
Attorney for Petitioners.

Mr. Ralph Kibler offered his services free of charge to install the police radio system provided the City of Asheville will furnish him a helper.

On motion of Councilman Wamboldt, seconded by Councilman Smith this matter was referred to Mr. Rigsby to file application until funds are available for the installation of the radio system.

Mr. Rigsby presented lease of property on East Haywood Road, which is now under lease to the Independent Gasoline and Oil Company, to the Southern Oil Stores, Inc. under the condition they would take over the present lease until its expiration and continue for three years and five months, therefore, making the total lease for five years.

Councilman Woodcock, moved, seconded by Councilman Wamboldt, voted on and carried, that the Mayor be authorized to execute the lease.

Mr. Rigsby read a report of H. E. Davis, City Accountant, of the analysis of bad checks which are being held by the City of Asheville.

On motion of Councilman Wamboldt, seconded by Councilman Woodcock, voted on and carried, this matter was referred back to Mr. Rigsby and Mr. Merrimon for report as to the legal status of the bad checks and advise in regard to their disposition.

There being no further business, the meeting, on motion, adjourned.

Mayor

City Clerk.



Thursday, October 12, 1934 - 4:00 P. M.

The City Council met in regular session; Mayor Green presiding. Present: Councilmen Julian Woodcock, Wilkes Wamboldt, Frank S. Smith, Plott Boyd, W. C. Britt, H. G. Brookshire, Wilbu Devendorf, Louis Lipinsky and Ottis Green, Corporation Counsel, J. G. Merrimon and City Manager R. W. Rigsby. The minutes of the previous meeting were read and approved.

The invitation of Mr. J. H. Wood, Division Passenger Agent of the Southern Railway Company, to the members of the Council to attend a mass meeting by the Rail and Bus Taxpayers League Thursday night to discuss the operation of the busses and trucks in competition with the railroad lines, was accepted.

In regard to the application of Mr. J. W. Gentry for a permit to operate a fish market, Mr. Rigsby reported that Dr. Sevier and he had made a thorough investigation and recommended against the establishment of a fish market in the building corner of College and Spruce Streets as conditions were such that a sanitary nuisance would be created which might force the closing of the entire market unless considerable readjustments were made to meet the sanitary regulations of the City.

Councilman Woodcock, moved, seconded by Councilman Wamboldt, that the matter be postponed one week and the City Manager notify Mr. Gentry as to the conditions. This motion on being put to a vote carried unanimously.

A report from Mr. Merrimon in regard to the claim of Joseph Selby for damages for land taken by the City on Coxe Avenue and Buxton Street, stated that the deed to the City having been duly executed and registered gave the City title to the strip of land for which the city had paid, and he recommended that the claim be denied.

It was moved by Councilman Woodcock, seconded by Councilman Smith that the report of the Corporation Counsel be accepted and the claim be denied. This motion carried unanimously.

Mr. Merrimon presented report of his investigation of the request of Moore Bryson, Attorney, that lot 55½, sheet 5 ward 1, property on Beaumont Street be relieved of assessments. and as there is no record in the city tax department showing any assessments against this lot he recommended that the lot be relieved of assessments.

Councilman Smith moved, seconded by Councilman Boyd that the report and recommendation of the Corporation Counsel be adopted. This motion carried unanimously.

It was moved by Councilman Smith, seconded by Councilman Lipinsky and unanimously carried that the City Manager proceed immediately in the liquidation of unpaid checks held by the city and report from time to time to the Council the progress that has been made.

Mr. Merrimon made a report in regard to the claim of the United States Fidelity & Guaranty Company demanding payment of $50,000.00, which grew out of transaction between the city and William Ray Griffin regarding the wideningof Davidson Street; where the City assumed and agreed to pay a certain indebtedness secured by deed of trust.

He advised he did not believe the claim a valid obligation and recommended the claim be disallowed and if suit is instituted to collect this amount the City to defend the case.

It was moved by Councilman Wamboldt, seconded by Councilman Smith that the Council approve the recommendation of the Corporation Counsel.

There being no further business, the meeting, on motion, adjourned.

Mayor

City Clerk

Thursday, October 20, 1932- 4:30 P. M.

The City Council met in regular session; Mayor Green presiding. Present: Councilmen, Plott Boyd, W. C. Britt, H. G. Brookshire, Wilbur Devendorf, Ottis L. Green, Louis Lipinsky, Frank S. Smith, Wickes Wamboldt and Julian A. Woodcock, City Manager, E. L. Rigsby and Assistant Corporation Counsel, D. C. Lentz. The minutes of the previous meeting were read and approved.

The request of Mrs. Bradford, 197 Broadway, that the culvert in the rear of her house which has been broken by a fallen tree causing water to back up, be repaired upon motion of Councilman Woodcock, seconded by Councilman Wamboldt ordered referred to the City Manager. The motion carried unanimously.

E. L. Rigsby recommended that J. W. Gentry be granted a permit to operate a fish market at the corner of College Street and Spruce Street, provided no fish is cleaned on the premises.

A motion made by Councilman Wamboldt, seconded by Councilman Woodcock, that the recommendation of the City Manager be adopted was unanimously passed.

A resolution authorizing the City Manager to request a financial statement from the Board of Financial Control, of collateral owned by the City of Asheville, was on motion of Councilman Smith, seconded by Councilman Britt, unanimously adopted.

A RESOLUTION AUTHORIZING THE CITY MANAGER TO REQUEST A FINANCIAL STATEMENT, FROM THE BOARD OF FINANCIAL CONTROL, OF COLLATERAL OWNED BY THE CITY OF ASHEVILLE.

WHEREAS, in compliance with Chapter 253, Public Local and Private Laws of North Carolina, Session 1931, under the Department of Liquidation of Securities, the City of Asheville turned over to the Board of Financial Control approximately five million two-hundred ninety-eight thousand, nine hundred and nine and seventy-seven one-hundredths ($5,298,909.77) dollars of collateral securing deposits in the Central Bank and Trust Company after its failure on November 20, 1930; and

WHEREAS, the members of the City Council of the City of Asheville feel it is their duty to make inquiry as to the disposition of the collateral held by the Board of Financial Control, since it is held as securities for deposits of the City of Asheville.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ASHEVILLE:

That the City Manager be directed to request of the Board of Financial Control an itemized statement showing the disposition of all items on hand, showing the amount collected on each note and the balance due; and that the Board of Financial Control be requested to furnish monthly statements to the City of Asheville with reference to all collateral held for the benefit of the City of Asheville.

I move the adoption of the foregoing resolution.

Frank S. Smith
Councilman

Seconded by: W. C. Britt
Councilman

Read, approved, and adopted, this the 20th day of Oct, 1932.

Ottis Green
Mayor

E. G. Thompson
City Clerk

APPROVED AS TO FORM:

CORPORATION COUNSEL



In regard to petition filed by M. W. [illegible], E. B. Hampton, A. B. Hampton, F. B. Hampton and J. [illegible] convey by quit claim deed [illegible] two foot strip to abut on West Street and South [illegible] E. L. Lentz recommended that the City [illegible] and execute a quit claim deed for the same.

It was moved by Councilman Woodcock, seconded by Councilman [illegible] Director of Finance be instructed to have these matters settled at [illegible]

A resolution [illegible] compromise payment of the [illegible] Company for back taxes was on motion of Councilman Wamboldt, [illegible] unanimously adopted.

WHEREAS, A controversy has arisen between the City of Asheville and the Southern Bell Telephone and Telegraph Company as to the amount now due the City of Asheville and the percentage of gross receipts which the Telephone Company should pay under Section 10 of the franchise granted by the City of Asheville to the Asheville Telephone and Telegraph Company, which franchise was transferred and assumed by the Southern Bell Telephone and Telegraph Company, and,

WHEREAS, The Southern Bell Telephone and Telegraph Company has offered to settle all indebtedness to said City under the franchise to and including June 1, 1932, for the sum of $7,800.00, and to pay to the City of Asheville, until such time as there shall be a further change in the contract with subscribers, 1.44% of its gross receipts as provided in said contract, and,

WHEREAS, The attorney representing the City of Asheville in the controversy and the City Manager have advised the acceptance of said offer, and,

WHEREAS, In the opinion of the Mayor and Council it is deemed advisable and to the best interests of the City that the offer made by the Southern Bell Telephone and Telegraph Company.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the City of Asheville that the offer of settlement so made by said Telephone Company in the sum of $7,800.00 said Telephone Company shall be released from all further indebtedness under said Section 10 up to the first day of June, 1932.

BE IT FURTHER RESOLVED That so long as the present rate for service by the Telephone Company to subscribers shall continue in effect, the Telephone Company shall pay in discharge of its obligation under said Section 10 of the franchise on the first day of December and the first day of June of each year a sum equal to 1.44% of its gross receipts.

I move the adoption of the foregoing resolution.

Wickes Wamboldt
Councilman

Julian A. Woodcock
Councilman

Read, approved and adopted, this the 20th day of October, 1932.

Ottis Green Mayor.

E. G. Thompson City Clerk.

Approved as to form:
J. G. Merrimon
Corporation Counsel.

There being no further business, the meeting adjourned.

Mayor.

City Clerk.

October 27, 1952

Thursday, October 27, 1952 - 2:30 P. M.

The City Council met in regular session; Mayor Green presiding. Present: Councilmen Louis Lipinsky, [illegible] Devendorf, H. G. Brookshire, W. C. Britt, Plott Boyd, Frank S. Smith, Wickes Wamboldt, Julian A. Woodcock and Ottis L. Green, Corporation Counsel J. G. Merrimon and City Manager R. W. Rigsby. The minutes of the previous meeting were read and approved.

Letters from Messrs. Lee & Lee, attorneys for the Standard Oil Company of New Jersey served notice on the City that the Standard Oil Company will not permit any encroachment or trespass [illegible] on Montreat Street by construction of a pipe line leading to tanks by [illegible] Stores, Inc., lessee of property owned by the City of Asheville.

It was moved by Councilman Woodcock, seconded by Councilman Wamboldt that the letters be referred to the City Manager. This motion carried unanimously.

The request of J. E. Driggers for permit to operate a meat market on Pack Square next to the Pack Memorial Library was on motion of Councilman Smith, seconded by Councilman Britt ordered referred to the City Manager, the Health Officer and the Corporation Counsel. This motion on being put to a vote carried unanimously.

Councilman Woodcock moved seconded by Councilman Brookshire, that the Corporation Counsel be instructed to draft a resolution that will control the operation of meat markets in the congested traffic districts.

Voting for the adoption of the motion, Councilmen Woodcock and Brookshire, voting against the adoption, Councilmen Lipinsky, Devendorf, Britt, Boyd, Smith and Wamboldt. The motion was lost.

The motion of Councilman Plott Boyd, seconded by Councilman Frank S. Smith, that the Mayor of the City of Asheville to execute quit claim deed to F. W. Thomas and wife, Helen J. Thomas for lot 46, Sheet 4, Ward 6, was unanimously carried.

RESOLUTION

A RESOLUTION AUTHORIZING THE MAYOR OF THE CITY OF ASHEVILLE TO EXECUTE QUIT CLAIM DEED TO F. W. THOMAS AND WIFE HELEN J. THOMAS FOR LOT 46, SHEET 4, WARD 6

WHEREAS, in an action in the Superior Court of Buncombe County, North Carolina, by the City of Asheville vs. F. W. Thomas and wife Helen J. Thomas, for the foreclosure of tax sale certificate 2732 for the taxes of [illegible] due the City of Asheville, a judgment was rendered authorizing the sale for the payment of certain taxes and costs on certain real estate including lot 46, Sheet 4, Ward 6; and

WHEREAS, it now appears that prior to said judgment, which was rendered April 15, 1952, the said taxes on said lot 46 were paid, having been on July 11, 1951, as evidenced by a receipt duly exhibited, and said lot 46 was, therefore, improperly and inadvertently, and by mistake ordered to be sold under said judgment by W. Vere C. Lentz, Commissioner; and

WHEREAS, said lot 46 was sold by said Commissioner under said judgment and the said Commissioner, by order of the Court, has made a deed of said lot 46, with other real estate, to the City of Asheville, which deed dated June 2nd, 1952, and is recorded in the office of the Register of Deeds for Buncombe County in book 801, page 477; and

WHEREAS, the taxes on said lot 46 having been paid as aforesaid the City of Asheville holds no title to said property and in order to clear cloud on said title a quit-claim deed should be executed by the Mayor of the City of Asheville.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ASHEVILLE:

That the Mayor of the City of Asheville is hereby authorized to execute a quit-claim deed, conveying lot 46, sheet 4, ward 6, to F. W. Thomas and wife Helen J. Thomas, and the same shall be attested by the City Clerk with the city seal.



October 27, 1952

November 3, 1952.

I move the adoption [illegible] day of October, [illegible].

Plott Boy
COUNCILMAN

Seconded by: W. C. Britt
COUNCILMAN

[illegible] and carried, the [illegible]

Ottis Green
Mayor

L. O. Thompson
City Clerk

APPROVED AS TO FORM:

J. G. Merrimon

CORPORATION COUNSEL

[illegible]

On motion of Councilman Wamboldt, seconded by Councilman Woodcock, An Ordinance regulating plumbing in the City of Asheville which was passed on first reading on August 11, 1952 and on second reading on August 14, 1952 was unanimously [illegible]

There being no further business, the meeting [illegible]

Mayor

City Clerk.

Thursday, November 6, 1952 - 4:00 P. M.

The City Council met in regular session: Mayor Green presiding. Present: Councilmen Plott Boyd, W. C. Britt, H. G. Brookshire, [illegible] Louis Lipinsky, Frank S. Smith, Wickes Wamboldt and [illegible]. Counsel, J. G. Merrimon and City Manager R. W. Rigsby. The minutes of the previous meeting were read and approved.

[illegible]

On motion of Councilman W. C. Britt, seconded by Councilman [illegible], An Ordinance to define temporary stores and to fix an [illegible] stores in the City of Asheville, North Carolina, and [illegible] occupational tax, penalties for non-payment, and [illegible] first reading.

Voting for the passage of the ordinance on the [illegible] Britt Brookshire, Devendorf Lipinsky, Smith and Wamboldt. [illegible]

[illegible]

On motion of Councilman Wilbur Devendorf, seconded by Councilman [illegible], Ordinance #181, entitled An Ordinance levying taxes for the fiscal year [illegible] City of Asheville was unanimously passed on its first reading.

Councilman Woodcock moved, seconded by Councilman Britt, that the rules be suspended and the ordinance be passed on its second reading. All present and voting for the suspension of the rules and [illegible]

It was moved by Councilman Boyd, seconded by Councilman Smith, that the rules be suspended this ordinance passed on its third reading. [illegible] voting "aye" the ordinance was adopted and [illegible] Asheville effective the 16th day of November, 1952.

ORDINANCE #181

AN ORDINANCE LEVYING TAXES FOR THE FISCAL YEAR 1932-1933 FOR THE CITY OF ASHEVILLE.

THE CITY COUNCIL OF THE CITY OF ASHEVILLE DO ORDAIN:

That, pursuant to law, the following rate of taxes is hereby levied for the year 1932-1933 upon all the taxable property in the city of Asheville:

| | | | |
|---|---|---|---|
| POLL TAX | | | 1.00 |
| GENERAL FUND | .1781 | | |
| Bond | .0134 | | |
| CHARGES OF COMMERCE | .0049 | | |
| Bond | .0025 | .4219 | |
| CITY GOVERNMENT | .5832 | | |
| Bond | .0589 | .6481 | .87 |

I move the adoption of the foregoing ordinance, this the 3rd day of November, 1932.

Wilbur Devendorf
COUNCILMAN

Seconded by: Frank S. Smith
COUNCILMAN

Rules suspended and immediately put upon its second and third reading and adopted and declared to be an ordinance of the City of Asheville, effective the 18th day of November, 1932.

Read, approved and adopted, this the 3rd day of November, 1932.

Ottis Green
MAYOR

E. G. Thompson
CITY CLERK

APPROVED AS TO FORM:

J. G. Merrimon
CORPORATION COUNSEL.

Motion of Councilman W. [illegible] Pratt, seconded by Councilman H. G. Brookshire, [illegible] ordinance adopting and appropriating the permanent operating [illegible] budgets for the fiscal year 1932-1933 was unanimously passed on its [illegible] reading.

Councilman Cooper moved, seconded by Councilman Smith that the rules be [illegible] and the ordinance be passed on its second reading. All members of the Council present and voting for the suspension of the rules and the passage of the ordinance on its second reading.

Motion of Councilman Smith, seconded by Councilman Wamboldt, that the ordinance be passed on its third and final reading. On being put to a vote, all members of the Council voting "aye" the ordinance was adopted and [illegible] ordinance of the City of Asheville, effective the 18th day of November 1932.

ORDINANCE #182

AN ORDINANCE ADOPTING AND APPROPRIATING THE PERMANET OPERATING AND DEBT SERVICE BUDGETS FOR THE FISCAL YEAR 1932-1933

WHEREAS, on the 29th day of September, 1932, the Board of Financial control of Buncombe County adopted permanent operating and debt service budgets for the City of Asheville as is provided by law, and which said budgets are hereto attached; and

WHEREAS, said budgets have been approved by the Local Government Commission of North Carolina;



NOW, THEREFORE, The City Council [illegible]:

That said attached operating and debt service [illegible] year 1932-1933 be and the same are hereby adopted, and [illegible] appropriations listed in said budgets are hereby made, [illegible] Finance of the City of Asheville is hereby [illegible] expenditures in accordance with same.

I move the adoption of the foregoing ordinance, this the 3rd day of November, 1932.

W. C. Pratt
COUNCILMAN

Seconded by: H. G. Brookshire
COUNCILMAN

Rules suspended and immediately put upon its second and third readings and adopted and declared to be an ordinance of the City of Asheville, effective the 18th day of November, 1932.

Read, approved and adopted, this the 3rd day of November, 1932.

Ottis Green
MAYOR

E. G. Thompson
CITY CLERK

APPROVED AS TO FORM:
J. G. Merrimon
CORPORATION COUNSEL.

1932-1933 APPROPRIATIONS 1932-1933

| | Appropriations Fiscal Year 1932-1933 |
|---|---|
| General Government | [illegible] |
| Law | [illegible] |
| Finance | [illegible] |
| Public Welfare | [illegible] |
| Public Safety | [illegible] |
| Libraries | [illegible] |
| Civil Service | [illegible] |
| Public Works (Including Parks, Playgrounds and Athletic Fields) | [illegible] |
| | [illegible] |

SCHEDULE OF CHARGES, 1932-1933

| | |
|---|---|
| General Government | [illegible] |
| Law | [illegible] |
| Finance | [illegible] |
| Public Welfare | [illegible] |
| Public Safety | [illegible] |
| Libraries | [illegible] |
| Civil Service | [illegible] |
| Public Works | [illegible] |
| | [illegible] |

Mr. Rigsby reported that an investigation of the claim of Mrs. Mabel Marlow for damages for injuries sustained by falling on Eagle Street, had been made and he recommended that settlement be made in the amount of $100.00

Councilman Woodcock, moved, seconded by Councilman Smith that the recommendation of the City Manager be adopted.

On motion of Councilman Brookshire, seconded by Councilman Woodcock, the recommendation of the City Manager that the claim for damages of Mose Marler for injuries sustained by falling from a platform on the property of the City of Asheville on Eagle Street be settled for $15.00 was unanimously adopted.

There being no further business, the meeting, on motion, adjourned.

Mayor

City Clerk

Thursday, November 10, 1932- 4:30 P. M.

The City Council met in regular session; Mayor Green presiding. Present: Councilmen Julian A. Woodcock, Wickes Wamboldt, Louis Lipinsky, Ottis L. Green, Wilbur D. Rosendorf, R. S. Brookshire, W. C. Britt and Plott Boyd. The minutes of the previous meeting were read and approved.

On motion of Councilman Wamboldt, seconded by Councilman Woodcock, the Mayor was authorized to make arrangements for a joint meeting of the City Council and the County Commissioners-elect to confer on the report of the survey of welfare activities and agencies prepared by Mr. Ray M. Brown of the University of North Carolina, a copy of said report to be sent to each commissioner-elect for study.

An application for permit to operate a billiard hall at #11 Biltmore Avenue was submitted by Peter G. Lamprinakos.

Councilman Wamboldt moved, seconded by Councilman Boyd that the permit be referred to the Chief of Police, the Chief of the Fire Department, the City Health Officer and the Building Inspector, who shall investigate the application to determine whether the place sought to be licensed for use as a billiard hall complies with the regulations, ordinances and law applicable thereto.

This motion on being put to a vote, carried; voting "aye" Councilmen, Wamboldt, Boyd, Lipinsky, Brookshire, and Woodcock, voting "no" Councilmen Britt and Rosendorf.

On motion of Councilman Woodcock, seconded by Councilman Boyd, An Ordinance to define temporary stores and to fix an occupational tax on such temporary store in the City of Asheville, and to provide for the collection of said occupational tax, penalties for non-payment, and for other purposes was passed on its second reading.

Voting "aye" for the passage of the ordinance on its second reading: Councilman Woodcock, Boyd, Lipinsky, Brookshire, and Britt. voting "no" Councilman, Rosendorf and Wamboldt.

There being no further business, the meeting, on motion, adjourned.

Mayor

City Clerk.



Thursday, November 17, 1932

The City Council met in regular session; Mayor Green presiding. Present: Councilmen Julian A. Woodcock, Wickes Wamboldt, Louis Lipinsky, Ottis L. Green, Wilbur D. Rosendorf, R. S. Brookshire, W. C. Britt and Plott Boyd. Corporation Counsel, J. E. Merrimon and City Manager W. A. Rigsby. The minutes of the previous meeting were read and approved.

It was moved by Councilman Lipinsky, seconded that a committee of attorneys be appointed to discuss an agreement in process of formulation; the committee appointed Messrs. Francis Hertzel, Heywood Parker, Thomas J. Jordan, J. E. Merrimon and Clinton Adams, C. Y. Jordan Jr., and J. E. Merrimon.

Mrs. John [illegible] on the matter of the assessment of $400.00 [illegible] interest to be paid on Woodfin Street due to the fact that the work had been done.

On motion of Councilman Woodcock, seconded by Councilman Smith, unanimously referred to the Tax Collector.

The matter of firms sending notices of unpaid taxes stating that they are official notices of the City of Asheville was discussed, seconded by Councilman Smith unanimously referred to the City Attorney to take such legal steps as are necessary to have this practice stopped.

Mrs. Eugene B. Glenn invited the Councilmen to visit the Public Library on Saturday afternoon in connection with the observance of Children's Week.

The request for a street light on [illegible] Wamboldt, seconded by Councilman Smith, unanimously [illegible].

The complaint of Mrs. C. A. Hebard that [illegible] house rent and her request that the City assist her in [illegible] Councilman Smith seconded by Councilman Woodcock, unanimously [illegible] Service Commission and the City Manager for investigation.

It was moved by Councilman Wamboldt, seconded by Councilman [illegible] carried that the City Council goes on record as disapproving the action of any City employee who does not pay his current debts.

George W. Williams requested relief from a water assessment on account of the fact that his property was already connected [illegible].

Councilman Woodcock moved, seconded by Councilman [illegible] the matter be referred to the City Manager for investigation [illegible].

Mr. Frank Silverman made a complaint [illegible] taxes on his business before the time set for penalties. [illegible]

On motion of Councilman Britt and Smith, seconded by Councilman Britt, A resolution authorizing the Mayor of the City of Asheville to execute a deed to the herein described properties was unanimously [illegible].

A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE A QUIT CLAIM DEED TO THE HEREIN [illegible]

WHEREAS, an action was instituted in the Superior Court of Buncombe County North Carolina, by the City of Asheville, against property owners owning listed the following described properties for the year 1928, and a judgment was rendered authorizing the sale of said properties for the payment of taxes and costs on said properties hereinafter described; and

WHEREAS, it now appears that prior to said judgments, which were rendered on April 25, 1932, said taxes on said properties hereinafter described were paid in full, and that the properties hereinafter described may have been erroneously and inadvertently and by mistake ordered to be soldunder said judgments by DeVere C. Lentz, Commissioner; and

WHEREAS, said properties hereinafter described were sold by said commissioner under said judgments and the said commissioner, by order of the Court, has made deeds conveying said properties hereinafter described to the City of Asheville, which deeds are dated June 29, 1932, and are recorded in the office of the Register of Deeds for Buncombe County, North Carolina; and

WHEREAS, if the taxes on the said properties hereinafter described have been paid, as aforesaid, the City of Asheville would hold no title to said properties and the cloud on said titles should be removed by quit claim deeds executed by the Mayor of the City of Asheville.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ASHEVILLE:

That the Mayor of the City of Asheville be and he is hereby authorized to execute quit claim deeds, the same to be attested by the City Clerk and the corporate seal attached, conveying the following described properties, to-wit:

| CERTIFICATE | IN THE NAME OF (listed owner) | LOT | SHEET | WARD |
|---|---|---|---|---|
| 1381 | Laura Patton, | 321 | 6 | 4 |
| 1671 | H. H. Cathey | 120 | 19 | 5 |
| 1785 | William H. Furner | 132 | 20 | 5 |
| 2051 | Newfield Properties, Inc. | 89 | 10 | 5 |
| 2189 | T. C. Smith | 8 | 5 | 5 |
| 2218 | Southern Builders, Inc. | 98 | 17 | 5 |
| 2578 | Harry A. Logan, | 184 | 6 | 6 |
| 2737 | C. C. Tipton, | 4-1/2 | 21 | 5 |
| 2768 | Mary M. Jackson & Sam F. Stevens | 48 | 12 | 5 |
| 2799 | E. J. Randolph & T. T. Rowland, | 65-1/4 | 6 | 5 |

When and if payment of said taxes shall be established to the satisfaction of the City Manager.

I move the adoption of the foregoing resolution, this the 17th day of November, 1932.

Frank S. Smith
COUNCILMAN

Seconded by: W. C. Britt
COUNCILMAN

Read, approved and adopted, this the 17th day of November, 1932.

Ottis Green
MAYOR

E. G. Thompson
CITY CLERK

APPROVED AS TO FORM:
J. G. Merrimon
CORPORATION COUNSEL.

On motion of Councilman Wilbur Devendorf, seconded by Councilman Louis Lipinsky A resolution authorizing the Director of Finance of the City of Asheville to advertise and sell, at public auction at the court house door, properties sold and foreclosed for 1928 taxes- where deeds were made to the City of Asheville was unanimously adopted.

A RESOLUTION AUTHORIZING THE DIRECTOR OF FINANCE OF THE CITY OF ASHEVILLE TO ADVERTISE AND SELL, AT PUBLIC AUCTION AT THE COURT HOUSE DOOR, PROPERTIES SOLD AND FORECLOSED FOR 1928 CITY TAXES- WHERE DEEDS WERE MADE TO THE CITY OF ASHEVILLE.

WHEREAS, it appears that the City of Asheville is the owner of various properties foreclosed for 1928 city taxes; and

WHEREAS, it is the desire of the City Council of the City of Asheville that where property owners wish to redeem their properties that said properties be advertised and sold at the court house door for cash.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ASHEVILLE:

That the Director of Finance be and he is hereby authorized and directed to advertise and sell all properties where requests by the owners are made to purchase said properties, said advertisement to appear in the newspaper, published in the City of Asheville, having the largest or second largest circulation said sale to be for cash to the highest bidder at the court house door, and the Mayor of the City of Asheville is hereby authorized to execute deeds to the last and highest bidders for all properties after the said sale has been completed if the bid is accepted, Persons requesting the sale of said properties shall be required to post an amount with the City Tax Collector to cover the cost of advertisement, in order to protect the City from any loss should there be no bidder. The Director of Finance or City Manager is instructed in the event there are no bidders after the property is offered for sale, to declare no sale. The City reserves the right to reject any bid made.

I move the adoption of the foregoing resolution, this the 17th day of November, 1932.

Wilbur Devendorf
COUNCILMAN

Seconded by: Louis Lipinsky
COUNCILMAN

Read, approved and adopted, this the 17th day of November, 1932.

Ottis Green
MAYOR

E. G. Thompson
CITY CLERK

APPROVED AS TO FORM:

J. G. Merrimon

CORPORATION COUNSEL.

It was moved by Councilman Wamboldt, seconded by Councilman Woodcock, voted on and unanimously carried, that the Grand Jury be requested to make an investigation of the activities of the city tax department, it appearing that several tax receipts for 1931 taxes have been presented marked "paid" for which there are no credits on the books.

At this time Councilman Wamboldt requested of the City Attorney to explain how these items could have been paid and not credited. Mr. Rigsby, the City Manager, stated that of two thousand or more items there was possibility of error, but that investigation was not accusing any one of any fraud or any irregularities, but the facts speak for themselves.

Mr. Thomas A. Curry made a protest against the granting of permit to P. G. Lamprinakos to operate a billiard hall at #11 Biltmore Avenue, on the ground that the proposed billiard hall is next to the bus terminal and that will attract and encourage operating lotteries.

Reports from the Chief of Fire Department, Chief of Police, Health Officer and Building Inspector were filed which stated that the place to be licensed complied with the regulations, ordinances and law applicable to such places.

It was moved by Councilman Britt, seconded by Councilman Smith, and unanimously carried, that the matter be referred to the City Manager for further investigation and report of the police record of the applicant.

Mr. Rigsby read a letter from the Corporation Counsel in response to request of Mr. Robert S. Brown for a report of the status of the franchise of the Carolina Power and Light Company to furnish electricity to the City of Asheville, stating to the result of his investigation of the records, various and many deeds and documents on file in the office of the Register of Deeds.

Mr. Roberts S. Brown request permission to address the Council on the subject.

On motion of Councilman Woodcock, seconded by Councilman Britt, Ordinance #1830 entitled An Ordinance to define temporary stores and to fix an occupation tax on such temporary stores in the City of Asheville, North Carolina, and to provide for the collection of said occupational tax, penalties of non-payment, and for other purposes, was passed on its third and final reading and adopted.

Voting "aye" for the passage of the ordinance, Councilmen Woodcock, Britt, Boyd, Brookshire, Lipinsky and Smith. Voting "no" Councilman Wamboldt.

ORDINANCE NUMBER 197_

AN ORDINANCE IMPOSING A TEMPORARY STORE TAX AND TO FIX AN OCCUPATIONAL TAX ON TEMPORARY STORES IN THE CITY OF ASHEVILLE, NORTH CAROLINA, AND TO PROVIDE FOR THE COLLECTION OF SAID OCCUPATIONAL TAX, PENALTIES FOR NON-PAYMENT THEREOF, AND REPEALING ALL ORDINANCES IN CONFLICT HEREWITH.

---

Section 1. That persons who open stores in the City of Asheville, from time to time, for the sale of goods, wares, merchandise and/or merchandise to the general public for short periods of time and for the purpose of avoiding revenue from any kind into the City Treasury;

Section 2. That the City Council of the City of Asheville do ordain:

Section 3. That any person engaged in operating a temporary store, as hereinafter defined, in the City of Asheville, shall pay an occupational tax to the City of Asheville, for the use and benefit of said City, in the sum of Two Hundred Fifty Dollars ($250.00), but said sum shall be refunded to such person if the said person, firm or corporation, fails to open a temporary store.

Section 4. That as used in this ordinance, the term "Temporary store" shall mean and include any room, building or other place, opened and maintained for the sale of goods, wares, merchandise, commodities or merchandise, where the seller or owner of such goods, wares, merchandise operates such store, store room, office or place of business for a period of less than one hundred eighty (180) days; and any store opened and maintained in this City from and after the effective date of this ordinance shall prima facie be presumed to be a temporary store subject to the provisions of this ordinance, but such presumption may be overcome by satisfactory proof to the Director of Finance that it is not a temporary store as defined in this section, and the Director of Finance shall not be required to collect such tax or take a bond in lieu of payment therefor as provided in Section 5 hereof.

Section 5. Provided, however, that this ordinance shall not apply to sales by farmers only, nor to persons selling agricultural products of their own production, nor to sales pursuant to the order of any court of competent jurisdiction in the State of North Carolina, nor to any person who has been operating a store or stores, provided said person, or the principal of said person, has been engaged in the same kind of business in this city for a period of time not less than one hundred eighty (180) days prior to the date of opening such store.

Section 6. The word "person" as used in this ordinance shall be construed to mean and include individual, association, partnership, or corporation, or the operator for the time being of any such person, who sells to the public at retail through or by means of any such temporary store or stores, goods, wares, commodities or merchandise, except as herein provided.

Section 7. The Director of Finance of the City of Asheville shall demand of the owner of each temporary store an occupational tax, as herein provided.

Section 8. Any person who refuses or neglects to pay said occupational tax to the City of Asheville, within forty-eight (48) hours after demand thereof, shall be guilty of a misdemeanor, and liable for a penalty of Fifty ($50.00) and no.100 Dollars, and any person continuing to operate such temporary store more than forty-eight (48) hours after such demand, without having paid such occupational tax, or failing to comply with the bond, as hereinafter provided, shall constitute a separate offense.

Section 9. Provided, however, that in lieu of payment of said tax upon demand, the owner shall be required forthwith to furnish or cause to be furnished to the Legal Department of the City of Asheville in the sum of Five Hundred ($500.00) Dollars payable to the City of Asheville, with surety or sureties approved by the Director of Finance and conditional upon the fact of operating or maintaining a temporary store or maintained thereon, for a period of One Hundred Eighty (180) days from the date of opening said business; it being the intent of this section to require, for the City of Asheville, full and adequate protection for the collection of any tax which may, in fact, prove to be a temporary store, and any liability, direct or indirect, through his surety the occupational tax herein provided.

Section 10. That all ordinances or clauses of ordinance of the City of Asheville in conflict with the provisions of this ordinance are hereby repealed.

Section 11. If any section, clause, or sentence of this ordinance should be held by the courts unconstitutional, same shall not affect the remaining portions thereof.

I move the adoption of the foregoing ordinance, this the 3rd day of November 1937.

W. C. Britt
Councilman

Seconded by: Julian A. Woodcock
Councilman

November 17, 1937

1237

Read, approved and ordered published.

Attest:

J. S. Merrimon
City Clerk.

Approved as to form:

J. S. Merrimon
Prosecution Counsel.

There being no further business, the meeting adjourned.

Otto Ekerson
Mayor

Thursday, November 18, 1937 4:00 P.M.

Adjourned Meeting

On Thursday, November 24th, which was Thanksgiving Day, the City Clerk was present in the Council Chamber at 4:00 P.M. but there being no quorum of the Council present, there was no council meeting.

Otto Ekerson
Mayor

Thursday, December 2, 1937 4:00 P.M.

The City Council met in regular session: Mayor Otto Ekerson presiding. Councilmen Julian A. Woodcock, Wickes Aumolst, [illegible] H. G. Brookshire, Wilbur [illegible] Woodruff, Louis Blodnick [illegible] Counsel J. S. Merrimon and City Manager R. W. Price. The minutes of the previous meeting were read and approved.

It was moved by Councilman [illegible] and carried, that Mr. Pinsky [illegible] and gas meters inspected by the City, [illegible] gas being sold.

The request of Miss Bonnie Brown, [illegible] City pay to Mrs. Justice the balance of [illegible] widening of McDowell street by the A. T. & [illegible] Department.

Mr. Fred Seely [illegible] Council zoning ordinance no 84 [illegible] business purposes and [illegible] that the Council [illegible] ordinance.

It was moved by Councilman [illegible] and carried, that this [illegible] report.

...Chairman of the Municipal Board of Elections of the City ... the examination of "Petition for initiative ... and that an examination of said petition was made and ... and deems said petition insufficient ... the initiative of an ordinance under the provisions ...

... City Council of the City of Asheville, and ... come, GREETING;

... Owen Gudger, Chairman of the Municipal Board of Elections ... sometimes referred to in the charter of said ... Elections of the City of Asheville, State of ... certify that the foregoing and annexed papers, ... inclusive, constituting petitions to the ... City Council of the City of Asheville requesting the submission ... initiative of an Ordinance," upon ... section of the repeal ... as set forth in Pennell's Code of the City of ... Chairman of said Municipal Board ... November, 1932.

... certify that at 9:00 A. M., on the 15th day of November, ... petition was presented at a special meeting of said ... Elections at which all of the members thereof were ... in order to examination and considera- ... petitions.

... certify that an examination of said petition was made ... Elections and signatures, residences, addresses, ... identification ... examined and considered and com- ... registration books ... at the next preceding municipal ... in the City of Asheville in 1931, which registration books ... qualified voters within the twenty-three precincts of the ... all ... qualified at the general election for the State ... last, from which consideration and comparison it was ... petitions made up of said papers as aforesaid is not ... registered voters of the City of Asheville in excess ... per cent, of ninety-ninth of the total of all votes cast for ... City Council at the next preceding municipal election and ... and as a result of such examination and ... Board does find, and deems said petitions insufficient for ... the initiative of an ordinance under the ...

... certify that the said Municipal Board of Elections, ... the City Board of Elections of the City of Asheville ... carefully inspect the signatures, residences, addresses ... qualifications set forth in the petitions hereinbefore ... Board finds as a fact that the signatures, residences, ... authentications of said petitions do not comply ... provisions of the charter of the City of Asheville ... proposed ordinance as specifically provided for in ... the City of Asheville, viz:

... Private Laws of North Carolina, Session 1931, ... the City of Asheville, to define its ... or its government, and for other purposes."

... WHEREOF, I have hereunto set my hand, this the 22nd ...

Owen Gudger
Chairman, Municipal Board of Elections
for the City of Asheville.

... Councilman Sherrick, seconded by Councilman Britt, voted on ... ...ann for $55.20 cost of repairs to automobile ... Haywood Street was referred to the City Manager.

... petition of Mrs. Fred E. Hill for permit to operate ... Court ... referred to the City Manager.



Mr. Robert ... ... to the Council ... ... present ...

It was moved ... Councilman ... ... Council ... Council ... the next ...

A report from ... Jury ... the ... activities of the ... ... ...

Asheville City Council
Asheville, N. C.

Gentlemen:

... ... to think should ... ... Offices ... ... whatever ... ... irregularities ... errors.

... City Council ... the Grand Jury ... next meeting ...

A. ... Foreman
Grand Jury

Roy F. Ingle
Secretary.

... Mr. Rigsby ... report from Mr. B. ... Maynard, ... request of George W. ... that the assessments ... be ... that the assessments ... in ... to recommend that ... assessments ...

Mr. Rigsby reported on the request ... some fifty or sixty requests for street lights ... installed at the present time, as it is ... council, since there is no appropriation to ...

It was moved by Councilman ... Peter S. Sampinakes ... Avenue.

The motion ... vote, ... Mackie, Lipinsky, Boyd, ... the motion carried.

Mr. Merrimon ... assessments which seemed to ... was agreed to have said notices ...

... being no ...

Attest:

Mayor

City Clerk

...y, ... c, ...- ...

... Green ...

... Councilman Lipinski, voted ...

... Jack Mays for license to ...
... over until next ...

... Councilman Woodcock, seconded by Councilman ...
... Council be instructed to ... ordinance ...
... pool rooms and billiard halls and to provide ...
... the new ordinance at the next meeting.

... request of Mr. Frank H. Hill to ...
... be granted.

... Councilman Cullerton, seconded by Councilman Wambolt, ...
... be granted.

... posting on his investigation of the request of Mr. Fred Sil...
..., until such ordinance to regulate a restricted residential distr...
... C. Lentz, Assistant Corporation Counsel acting ...
..., is not in conformity with the law authorizing the zoning of terri...
... city.

... Councilman Woodcock, seconded by Councilman Boyd, and u...
... Corporation Counsel be instructed to draft an ordinance ...
..., entitled An ordinance to regulate a restricted residential ...

... motion, on roll call, ...

City Clerk.



... City C...
... illeu ...
... olut, ...
... ni City ...
... over.

... J. ...
... point ...
... ...

... ...

Mr. ...
Dowling Po...
...

Councilman ...
...

Mr. La...

Mr. Jam...
...

Mr. ...
...

... ...

... ...

... 

...by the Finance Director, presenting bill of Mr. Alfred S. Barnard services in connection ... of the income tax in the amount of $500.00

...motion of Councilman Lamboldt, seconded by Councilman Woodcock that the ... be adopted.

...report on the investigation of the request of Mr. Haywood Pike... ...Valley Street and benefits assessed in the extension ... that in exchange of checks be made with Mr. ...

...motion of Councilman Lamboldt, seconded by Councilman Devendorf that the recommenda... ...be adopted. This motion carried unanimously.

...report on investigation of the claim of Mr. Charles G. Buc... ...to remit certain assessments on lot 15, sheet 9 and 5 Amboy Road ... lot 15 has no front on Amboy Road and recommended that the assessment ...

...motion of Councilman Woodcock, seconded by Councilman Lamboldt and ... that the recommendation of the City Manager be adopted.

...report of the committee of lawyers designated to consider the ... agreement between the Bondholders and Noteholders and the City ...ille (Exhibit A) of the City Manager on the debt adjustment in which he ...follows: "Since the Debt Committee has presented the final result of ... negotiations, I recommend that you appoint the Corporation Counsel of the City, ... County Commissioners the appointment of their attorney, thus making ... representatives of the bondholders and ... modification of the contract, and such modifications ... either by additions or substration, which appear to you ... workable agreement.

...committee of attorneys shall be retained as a ... by the City and County so long as ... into the contract the best and final ... possible to get, then I would suggest that we leave the matter ... to promote the necessary legislation, or rather such ... representatives of the people, fulfull the ... assistance in the drafting of such legisla... ...will ... of the legal departments of the City and County ...

...no intentions to dictate, or to direct our legislators what to do, ... responsibility when we have developed the best plan we ... Financial rehabilitation of this community".

...motion of Councilman Smith, seconded by Councilman Britt was unanimously ... committee of lawyers be thanked and that a request be made that they ... services.

...motion of Councilman Britt, seconded by Councilman Smith that the ... report of the City Manager. This motion carried unanimously.

...JUDGMENT

...City Manager presented to the Mayor and Council ... dated to maturing September 1, 1951, drawn for ... a tax rate of at least $2.00 per ... raised to meet the debt service obligations ... advise the city that such a rate was not only ... possible, but even the mention of it was inimical to the ... unity, yet the public officials responsible for ... severe penalties if the obligations of the city ... set out in the law.

...n, ... it is now, that this community could not ... in the debt obligations of this community, ... itself under definite contract to pay. It was ... justment should be made as would redistribute the de... ...on ... basis of need, and a reduction of interest should be made ... not only enable the community to bear the burden, but s... ...in the future. We had already been in default several months in ... payment of both principal and interest, and were subject not only to man... ...proceedings, but under the terms of the Local Government Act passed in 193... ...were subject to receivership, provided for under that act where the ... affairs and other affairs of the city would be operated by an ...



...by the Fi... ...ous amount, ...being subj... ...stanip... ...ny pro...

...only th... ...nine ... ...ion ... ...ome, ... ...to ... ...n ot... ...ts of ... ...ni ... ...te re... ...ite of... ...by the Co... ...negotiati... ...joint ... ...You ... ...Put t... ...of the ... ...intelligent ... ...debt adjustm...

...Nominal ... ...intention ... ...reduction ... ...$1,950,000. ...

...to appoint ... ...to ...

...plan, ... ...committee ... ...achieve in ... ...financial ... ...the stipu... ...too much. ...The ... ...Does ... ...It would ... ...propose ... ...not suggest ... ...principles.

...to ... number ... ... I ... ...have very wisely chosen a num... ...of this com... ...eliminate, ...preliminary ...in ...

...motions, ... ...the ... ...to ... ...of ... ...ion, ... ...ment.

...It ... ...is a committee advisory to the ... ...to ascertain ... ...the final condition ... ...leave ... ...ation, ... ...of the people, ... ...to the ... ...ment ...

...to, but ... ...best plan we are able to get for the financial ... ...

...December 14, 1937. ... City ...

[illegible] C. Britt, [illegible] by Councilman [illegible] C. Smith, [illegible] of the City of Asheville to [illegible] quit claim [illegible] [illegible] adopted.

[illegible] to the [illegible]:

[illegible] Distributors in the Special Court of [illegible], by the City of Asheville, [illegible] [illegible] following described properties for [illegible] [illegible] authorized [illegible] [illegible] [illegible]

...City Council of the City of ...ville ... Asheville ...
...Julian A. Woodcock
...H. G. Britt
...December ..., 1932.
...Ottis Green
...L. L. Thompson
...DeVere C. Lentz
ASST. CORPORATION COUNSEL.

...Corporation Counsel on the ...sentatives of the Bond and Note... ...ment, and additional modifi... ...ney, for J. C. Merrimon, ...

...and modifications was presented, and ... Councilman Brookshire, that the ...components and modifications be ...

...substitute motion was made by Councilman ... by Councilman ... consideration at this time.

...motion carried, voting "no", Councilmen Wamboldt ...

...by Councilman Wamboldt, seconded by Councilman Brookshire ...

A substitute motion was made by Councilman Woodcock, seconded by Councilman Lipinsky that action be taken today.

...Councilman Lipinsky withdrew his motion to the motion ...

...Councilman Brookshire, seconded by Councilman Wamboldt, that ... be published as it now stands.

...motion that the matter be taken up to the ... publishes it before. The motion was ...

...opinion of the Council that publication be ...

...ting on motion, adjourned.

E. L. Thompson
City Clerk.



Thursday, December 29, 1932- 4:30 P. M.

The City Council met in regular session; Mayor Green presiding. Present: Councilmen, Plott Boyd, W. C. Britt, H. G. Brookshire, Wilbur Devendorf, Ottis Green, Frank Smith, Louis Lipinsky, Wickes Wamboldt and Julian Woodcock, and City Manager, R. W. Rigsby. The minutes of the previous meeting were read and approved.

Judge Frank Carter representing committees of citizens, presented and read resolutions which were unanimously adopted by mass meeting of citizens, condemning the proposed debt settlement agreement, and requesting the City Council and County Commissioners to reject the proposal and defer action on the debt settlement proposition for further consideration.

A motion was made by Councilman Wamboldt, seconded by Councilman Brookshire, that action be postponed and the Mayor arrange a joint meeting of the County Commissioners, the members of the County Board of Education and the City Council to give further consideration to the proposed debt settlement agreement.

This motion being put to a vote, voting "Aye" Councilmen Plott Boyd, H. G. Brookshire, and Wickes Wamboldt, voting "no" Councilmen W. C. Britt, Wilbur Devendorf, Louis Lipinsky Frank S. Smith and Julian A. Woodcock, the motion did not carry.

...approving ...

On motion of Councilman Louis Lipinsky, seconded by Councilman Julian A. Woodcock, A Resolution approving the contract negotiated and presented by the City-County Debt Committee with the clarifications and modifications was adopted.

Voting for the adoption of the resolution: Councilmen W. C. Britt, Louis Lipinsky, Frank S. Smith, Julian A. Woodcock and Ottis Green.

Voting against the adoption of the resolution: Councilmen Plott Boyd, H. G. Brookshire, Wilbur Devendorf and Wickes Wamboldt.

A RESOLUTION APPROVING THE CONTRACT NEGOTIATED AND PRESENTED BY THE CITY-COUNTY DEBT COMMITTEE WITH THE CLARIFICATIONS AND MODIFICATIONS.

WHEREAS, it has been and is now the purpose of this Council to procure for this community a readjustment of its debt burden as a basis for financial rehabilitation along the lines of honesty and justice between the debtors and creditors, and

WHEREAS, we have used every reasonable agency for negotiations, clarification and modification, including the City-County Debt Committee of seven members which negotiated the contract, the committee of nine lawyers which reported on the clarification, and the law departments of the City and County which procured these clarifications and certain essential modifications, and

WHEREAS, while its members desired and contended for more liberal terms, this Council finds itself confronted with the necessity of either accepting or rejecting the proposed contract as it now stands clarified and modified, and through its conferences with the representatives of the creditors of this community, is convinced that the best terms obtainable have been procured, and

WHEREAS, it is the conviction of this Council that it is for the best interests of this community that we procure the relief provided by the contract.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ASHEVILLE:

That the terms and provisions of the proposed Agreement between the City of Asheville, on the one part, and the Bondholders' Committee and Noteholders' Committee, representing the holders of the outstanding Bonds and Notes of the City of Asheville, on the other part, providing for refunding said Bonds and Notes, as the said Agreement is modified by subsequent negotiations with said Committee, which modifications are set forth in the report of the Corporation Counsel, dated December 21, 1932, and the supplement thereto, dated December 22, 1932, be, and the same is hereby, approved and adopted; and the Corporation Counsel is directed to prepare the final and complete draft of said Agreement embodying said modifications, and submit the same to the City Council for its approval and to direct its execution by the proper officers of the City.

BE IT FURTHER RESOLVED, that we ask our Representatives in General Assembly to procure the necessary legislation to carry into effect the terms of said agreement.

I move the adoption of the foregoing resolution, this the 29th day of December, 1932.

Louis Lipinsky
COUNCILMAN

Seconded by: Julian A. Woodcock
COUNCILMAN

Read, approved and adopted, this the 29th day of December, 1932.

Ottis Green
MAYOR

E. G. Thompson
CITY CLERK

APPROVED AS TO FORM:

J. G. Merrimon

CORPORATION COUNSEL.

Mr. Rigsby read a notice served on him by R. L. Maynard, Building Inspector of the City of Asheville, notifying that the building at 77-81 Haywood Street known as the City Auditorium has been condemned as unsafe and dangerous.

It was moved by Councilman Woodcock, seconded by Councilman Smith that the matter be referred to the Corporation Counsel.

Mrs. M. H. Harris read a letter from Mr. S. Grant Alexander, Architect, in which he stated the auditorium could be remodeled to comply with the city ordinances and the state law at an expenditure of $6.500.00

Mr. Ronald Green, Architect, suggested that detailed estimates be submitted.

It was moved by Councilman Wamboldt, seconded by Councilman Smith, voted on and carried, that the Council ask Mr. S. Grant Alexander to make a bid to put the auditorium in such condition as to conform with the state and city fire laws for $6,500.00.

On motion of Councilman Smith, seconded by Councilman Britt, An Ordinance to Repeal Ordinance No. 82, entitled "An Ordinance to Regulate a Restricted Residential District" was unanimously passed on its second reading.

There being no further business, the meeting, on motion, adjourned.

Mayor.

Clerk



Thursday, January 5, 1933- 4:30 P. M.

The City Council met in regular session; Mayor Green presiding. Present: Councilmen Plott Boyd, W. C. Britt, H. G. Brookshire, Wilbur Devendorf, Ottis L. Green, Louis Lipinsky, Frank S. Smith, Wickes Wamboldt and Julian A. Woodcock, Assistant Corporation Counsel D. C. Lentz and City Manager, R. W. Rigsby. The minutes of the previous meeting were read and approved.

A petition signed by eighteen property owners and tenants on West Pack Square requesting that the ordinance relating to parking on West Pack Square be changed from its present reading of, "No Parking", to read, "Thirty minutes parking allowed" was presented.

It was moved by Councilman Wamboldt, seconded by Councilman Woodcock, voted on and carried, that the petition be referred to the City Manager.

A petition signed by sixteen firms on North Lexington Avenue requesting the ordinance regulating parking be changed to allow parking on North Lexington Avenue on the east side between Walnut Street and Hiawassee Street, to a 45 degree parking instead of parallel parking, was presented.

A motion made by Councilman Wamboldt, seconded by Councilman Woodcock, that the petition be referred to the City Manager was unanimously carried.

A letter from B. Frank Gudger & Co. asking for the appointment of a committee to consider the possibility of renting the Auditorium was presented, and a committee was appointed by Mayor Green composed of the following: Councilmen Plott Boyd, W. C. Britt and Frank S. Smith to discuss the matter in detail.

Mr. P. H. Branch presented a resolution from the Asheville Hotel Men's Association, protesting against the destruction of the Auditorium and requesting that the openings in the building be boarded up to the end that later on a practical solution for its reconditioning and operation will develop.

On motion of Councilman Julian A. Woodcock, seconded by Councilman Louis Lipinsky, a resolution appointing Owen Gudger, William Coleman and Joe T. Sevier, Jr. as members of the Municipal Board of Elections for the purpose of conducting the next municipal primary and the following municipal general election was unanimously adopted.

A RESOLUTION APPOINTING OWEN GUDGER, WILLIAM COLEMAN AND JOE T. SEVIER, JR., AS MEMBERS OF THE MUNICIPAL BOARD OF ELECTIONS FOR THE PURPOSE OF CONDUCTING THE NEXT MUNICIPAL PRIMARY AND THE FOLLOWING MUNICIPAL GENERAL ELECTION.

WHEREAS, it appears from Chapter 121, Public, Local and Private Laws of North Carolina, Session 1931, being, "An Act to Incorporate the City of Asheville, to define its Corporate Limits, to Provide for its Government, and For Other Purposes", and in compliance with Article XI, Section 65, of said Act, it is the duty of the City Council of the City of Asheville to appointthree persons of good moral character who shall be electors of the City of Asheville, who shall be elected by the Council at least three months before any municipal primary and every two years thereafterwards, and whose terms of office shall continue for two years from their appointment and until their successors are appointed and qualified, unless sooner removed therefrom for cause.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ASHEVILLE,

That Owen Gudger, William Coleman and Joe T. Sevier, Jr., be and they are hereby appointed as members of the Municipal Board of Elections for the primary to be held in the city of Asheville on the last Tuesday in April, 1933, for the purpose of nominating councilmen, a judge and solicitor of the police court, and also for the general municipal election, to be held the second Tuesday in May, 1933, for the purpose of electing nine councilmen and a judge and a solicitor of the police court.

I move the adoption of the foregoing resolution, this the 5th day of January, 1933.

Julian A. Woodcock
COUNCILMAN

Seconded by: Louis Lipinsky
COUNCILMAN

Read, approved, and adopted, this the 5th day of January, 1933.

Ottis Green
MAYOR

E. G. Thompson
CITY CLERK

APPROVED AS TO FORM :

CORPORATION COUNSEL.

On motion of Councilman Frank S. Smith, seconded by Councilman W. C. Britt, resolution relative to the County Debt Committee was unanimously adopted.

WHEREAS, it appears that the Board of County Commissioners has appointed a committee of five to negotiate with the bond holders and note holders in an effort to secure a more satisfactory settlement for the County of Buncombe, City of Asheville, and all other units.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ASHEVILLE:

That this Council will welcome any further concessions in the proposed debt agreement which may be obtained through the debt committee appointed by the County Commissioners, and we wish them much success in their effort to secure a better settlement.

I move the adoption of the foregoing resolution, this the 5th day of January, 1933.

Frank S. Smith
COUNCILMAN

Seconded by: W. C. Britt
COUNCILMAN

Read, approved, and adopted, this the 5th day of January, 1933

Ottis Green
MAYOR

E. G. Thompson
CITY CLERK

APPROVED AS TO FORM:

DeVere C. Lentz
ASST. CORPORATION COUNSEL.

On motion of Councilman Frank S. Smith, seconded by Councilman Julian A. Woodcock, Ordinance No. 184- An ordinance to repeal Ordinance No. 82 entitled "An Ordinance to regulate a restricted residential district was unanimously passed on its third and final reading.

ORDINANCE #184

The City Council of the City of Asheville do ordain:

Section 1-

That ordinance number 82, entitled "An Ordinance to Regulate a Restricted Residential District", bearing date March 30th, 1928, and recorded in Minute Docket 24 at page 283 et seq., be and the same is repealed.

I move the adoption of the foregoing ordinance this the 15th day of December, 1932.

W. C. Britt
Councilman

Seconded by: Plott Boyd
Councilman

Approved as to form:

J. G. Merrimon

Corporation Counsel



January 5, 1933
January 12, 1933

Read, approved and adopted, this, the 5th day of January, 1933, to become effective on the 20th day of January, 1933.

Ottis Green
MAYOR

E. G. Thompson
CITY CLERK

There being no fruther business, the meeting, on motion, adjourned.

Ottis Green
Mayor

E. G. Thompson
City Clerk

Thursday, January 12, 1933- 4:30 P. M.

The City Council met in regular session; Mayor Green presiding. Present: Councilmen Julian A. Woodcock, Wickes Wambolat, Frank S. Smith, Plott Boyd, W. C. Britt, H. G. Brookshire, Wilbur Devendorf, Louis Lipinsky and Ottis Green, Assistant Corporation Counsel DeVere C. Lentz and City Manager R. W. Rigsby. The minutes of the previous meeting were read and approved.

On motion of Councilman Julian A. Woodcock, seconded by Councilman Louis Lipinsky, A Resolution of the City Council of the City of Asheville expressing sincere regret and profound sorrow on account of the death of W. Vance Brown was unanimously adopted.

RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ASHEVILLE EXPRESSING SINCERE REGRET AND PROFOUND SORROW ON ACCOUNT OF THE DEATH OF W. VANCE BROWN

WHEREAS, the City Council of the City of Asheville learned, with sincere regret and profound sorrow, of the death of W. Vance Brown, Chairman of the City School Board of the City of Asheville.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ASHEVILLE:

1. That it express the official appreciation of the City of Asheville for the life and character of the deceased as a citizen of exceptional ability who has always been actively interested in the welfare and progress of the community in which he resided;

2. That the City Clerk be and is hereby directed and instructed to enroll this resolution upon the minutes of the official proceedings of the City Council, and to transmit a copy to members of the family of the deceased.

I move the adoption of the foregoing resolution.

Julian A. Woodcock
COUNCILMAN

Seconded by: Louis Lipinsky
COUNCILMAN

Read, approved and adopted, this the 12th day of January, 1933.

Ottis Green
MAYOR

E. G. Thompson
CITY CLERK

APPROVED AS TO FORM:

DeVere C. Lentz
Asst. CORPORATION COUNSEL

A resolution appointing William M. Smathers as a member of the Asheville School Board of the City of Asheville was presented and it was moved by Councilman Julian A. Woodcock, seconded by Councilman Frank S. Smith that the resolution be adopted.

A substitute motion made by Councilman Wambolat, seconded by Councilman Brookshire that action on the appointment of a member of the School Board be deferred until next meeting did not carry.

The motion that the resolution appointing William M. Smathers as a member of the Asheville School Board of the City of Asheville being put to a vote carried.

RESOLUTION APPOINTING WILLIAM M. SMATHERS AS A MEMBER OF THE ASHEVILLE SCHOOL BOARD OF THE CITY OF ASHEVILLE.

WHEREAS, it appears that a vacancy has occurred on the Asheville School Board of the City of Asheville by the death of W. Vance Brown, Chairman of said Board, and in compliance with Section eleven of Chapter 149, Public Locan and Private Laws of North Carolina, Session 1931, being "An Act Providing forthe Appointment of a School Board for the Asheville Local Tax School District, and Defining its Powers and Duties", it is the duty of the City Council of the City of Asheville to appoint some person to fill the vacancy on said Board.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ASHEVILLE:

That William M. Smathers is hereby appointed to serve as a member of the Asheville School Board for the unexpired term of W. Vance Brown.

I move the adoption of the foregoing resolution, this the 12th day of January, 1933.

Julian A. Woodcock
COUNCILMAN

Seconded by: Frank S. Smith
COUNCILMAN

Read, approved and adopted, this the 12th day of January, 1933.

Ottis Green
MAYOR

E. G. Thompson
CITY CLERK

APPROVED AS TO FORM:

DeVere C. Lentz
ASST CORPORATION COUNSEL

A letter from S. Grant Alexander and Associates, Architects, setting forth the work to be done under their design and supervision to make the Auditorium safe was presented to the Council.

Councilman Woodcock made the following suggestions: That a careful detailed estimate of cost be made to rehabilitate the old auditorium; that an estimate bemade to build a new auditorium to take care of an equal or greater seating capacity; that this be presented to the public together with a plan of financing and any public expense be placed in the next annual budget, or be submitted to the voters at theregular municipal election in May of this year; that in the meantim all inflammable material possible be removed from the building pending this decision.

A motion was made by Councilman Devendorf, seconded by Councilman Wambolat voted on and carried, that the letter of Mr. Alexander and the suggestions of Councilman Woodcock be referred to the Committee appointed on the Auditorium for further report.

A petition was submitted by Mr. Taylor Bledsoe to the City Council to the weight of their influence behind certain requests to the North Carolina Legislature measures that will result in substantial benefits to the inhabitants of the City of Ash

Mr. Rigsby presented a request of the County Commissioners to supply city to the Grovemont Development and recommended that this service be extended by making a nection at one or two points along the Swannanoa water main, with the understanding that the work is to bedone by the City at County expense, and that no service isto be given the various services have been properly metered. and that all rules and regulations now effect or which may be passed by proper authority governing the supplyingof water service shall apply to this section.

It was moved by Councilman Boyd, seconded by Councilman Britt, voted on and carried that the request begranted.



Mr. Rigsby reported that the Union Indemnity Company had gone in the hands of a receivor and had failed to pay compensation to two disabled employees of the Police Department, Floyd L. Miles and Arthur D. Ramsey, who had been receiving payment from the Company

He recommended that the City continue payment of $17.45 a week during the period of the budget.

It was moved by Councilman Woodcock, seconded by Councilman Smith, voted on and carried, that Council authorize the payment for three weeks in the meantime, pending a report from the Corporation Counsel in regard to the liability of the City to make payments.

On motion of Councilman Woodcock, seconded by Councilman Lipinsky, Ordinance No. 185 entitled "An ordinance regulating parking on Patton Avenue, Haywood Street, College Street, North Lexington Avenue and Pack Square, and beingfor the immediate preservation of the general public it is hereby declared an emergency ordinance" be passed on its first reading. All members of the Council voting for the passage of the ordinance on its first reading.

A motion was made by Councilman Smith, seconded by Councilman Britt and unanimously carried that Ordinance No. 185 be declared an emergency ordinance, the rules suspended and be passed on its second reading. All members voting for the passage of the ordinance on its second reading.

Councilman Brookshire moved, seconded by Councilman Devendorf, that Ordinance No. 185 be passed on its third and final reading. All members of the Council voting for the adoption of the ordinance, to become effective immediately after its first publication.

ORDINANCE NO. 185

AN ORDINANCE REGULATING PARKING ON PATTON AVENUE, HAYWOOD STREET, COLLEGE STREET, NORTH LEXINGTON AVENUE AND PACK SQUARE, AND BEING FOR THE IMMEDIATE PRESERVATION OF THE GENERAL PUBLIC IT IS HEREBY DECLARED AN EMERGENCY ORDINANCE

THE CITY COUNCIL OF THE CITY OF ASHEVILLE DO ORDAIN:

Section 1 That the parking of any motor vehicle or vehicles on either side of Patton Avenue, from its intersection with Pack Square to its intersection with Otis Street, except for the purpose of loading or unloading, is hereby prohibited, except as hereinafter provided:

(a) Parking will be permitted for a period of thirty (30) minutes on the north side of Patton Avenue, parallel to the curb and within six (6) inches thereof, from Haywood Street to Otis Street.

Section 2. That the parking of any motor vehicle or vehicles on either side of Haywood Street, from Patton Avenue to Page Avenue, except for the purpose of loading or unloading, is hereby prohibited, except as herein after provided:

(a) Parking will be permitted for a period of thirty (30) minutes on the west side of Haywood Street, parallel to the curb and within six (6) inches thereof, from Battery Park Avenue to Page Avenue.

Section 3. That the parking of any motor vehicle or vehicles on either side of College Street, from Patton Avenue to Spruce Street, except for the purpose of loading orunloading, is hereby prohibited, except as herein after provided:

(a) Parking will be permitted for a period of thirty (30) minutes on the north side of College Street, parallel to the curb and within six (6) inches thereof, from Patton Avenue to Broadway.

(b) Parking will be permitted for a period of thirty (30) minutes on both sides of College Street, parallel to the curb and within six (6) inches thereof, from Broadway to Spruce Street.

Section 4. That the parking of any motor vehicle or vehicles on either side of North Lexington Avenue, from its intersection with College Street to its intersection with Hiawassee and Woodfin Streets, except for the purpose of loading or unloading, is hereby prohibited, except as herein after provided:

(a) Parking will be permitted on the east side, from College Street to Woodfin Street, at an angle of forty-five (45) degrees to the curb.

(b) Parking will be permitted on the west side, from College Street to Hiawassee Street, parallel with the curb and within six (6) inches thereof.

Section 5. That the parking of any motor vehicle or vehicle, for a period of thirty (30) minutes and at an angle of ninety (90) degrees to the curb, shall be permitted on West Pack Square.

Section 6. That any person, firm or corporation, violating any of the provisions of this ordinance, shall be subject to a penalty of ten ($10.00) dollars within the discretion of the Court, for each and every such violation.

Section 7. That this ordinance, being for the immediate preservation of the public peace and safety of the citizens and residents of the City of Asheville, is hereby declared an emergency ordinance to take effect immediately after its first publication in a newspaper published in the City of Asheville.

Section 8. That all ordinances or clauses of ordinances in conflict herewith be and the same are hereby repealed.

I move the adoption of the foregoing ordinance, this the 12th day of January, 1933.

Julian A. Woodcock
COUNCILMAN

Seconded by: Louis Lipinsky
COUNCILMAN

Rules suspended and immediately put upon its second and third readings and adopted and declared to be an ordinance of the City of Asheville.

Ottis Green
MAYOR

E. G. Thompson
CITY CLERK

APPROVED AS TO FORM:

J. G. Merrimon

CORPORATION COUNSEL.

There being no further business, the meeting, on motion, adjourned.

Mayor

City Clerk



Thursday, January 19, 1933- 4:30 P. M.

The City Council met in regular session; Mayor Green presiding. Present: Councilmen Plott Boyd, W. C. Britt, H. G. Brookshire, Wilbur Devendorf, Ottis L. Green, Louis Lipinsky, Frank S. Smith, Wickes Wamboldt and Julian A. Woodcock, Corporation Counsel, J. G. Merrimon and City Manager R. W. Rigsby. The minutes of the previous meeting were read and approved.

On motion of Councilman Plott Boyd, seconded by Councilman Frank S. Smith, a resolution authorizing the Mayor of the City of Asheville to execute quit claim deeds to the herein described properties was unanimously adopted:

A RESOLUTION AUTHORIZING THE MAYOR OF THE CITY OF ASHEVILLE TO EXECUTE QUIT CLAIM DEEDS TO THE HEREIN DESCRIBED PROPERTIES.

WHEREAS, an action was instituted in the Superior Court of Buncombe County, North Carolina, by the City of Asheville, against property owners having listed the following described properties of the year 1928, and a judgment was rendered authorizing the sale of said properties for the payment of taxes and costs on said properties hereinafter described; and

WHEREAS, it now appears that prior to said judgments, which were rendered on April 25, 1932, said taxes on said properties hereinafter described were paid in full, and that the properties hereinafter described may have been erroneously and inadvertently and by mistake ordered to be sold under said judgments by DeVere C. Lentz, Commissioner; and

WHEREAS, said properties hereinafter described were sold by said commissioner under said judgments and the said commissioner, by order of the Court, has made deeds conveying said properties hereinafter described to the City of Asheville, which deeds are dated June 29, 1932, and are recorded in the office of the Register of Deeds for Buncombe County, North Carolina; and

WHEREAS, if the taxes on the said properties hereinafter described have been paid, as aforesaid, the City of Asheville would hold no title to said properties and the cloud on said titles should be removed by quit claim deeds executed by the Mayor of the City of Asheville.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ASHEVILLE:

That the Mayor of the City of Asheville be and he is hereby authorized to execute quit claim deeds, the same to be attested by the City Clerk and the city seal attached, conveying the following described properties, to-wit:

| CERTIFICATE | IN THE NAME OF (Listed Owner) | LOT | SHEET | CARD |
|---|---|---|---|---|
| 166 | H. H. Nabor and wife Lillie | 284 | 5 | 1 |
| 1502 | Lula B. Williams | 19-20 | 13 | 4 |
| 2090 | J. C. Penland and wife Mary | 136 | 2 | 5 |

When and if payment of said taxes shall be established to the satisfaction of the City Manager.

I move the adoption of the foregoing resolution, this the 19th day of January, 1933.

Plott Boyd
COUNCILMAN

Seconded by: Frank S. Smith
COUNCILMAN

Read, approved and adopted, this the 19th day of January, 1933.

Ottis Green
MAYOR

E. G. Thompson
CITY CLERK

APPROVED AS TO FORM:

J. G. Merrimon

CORPORATION COUNSEL.

The request of Mr. W. G. Dean to have permits to operate busses on the West Asheville line which were made in the name of J. M. Samonds and J. E. Metcalf transferred on the records to Mrs. W. G. Dean, owner of the busses and his application for a permit to add two cars on the West Asheville line was on motion of Councilman Woodcock, seconded by Councilman Lipinsky, referred to the City Manager with power to act.

Upon the decision of the Corporation Counsel that the City was primarily liable for the award of the North Carolina Industrial Commission as the insurance in the Union Indemnity Company was taken to protect the city, it was moved by Councilman Wamboldt, seconded by Councilman Woodcock, voted on and carried, that the award of the Industrial Commission made in the cases of Arthur D. Ramsey and Floyd L. Miles be carried forward at the expense of the city until other arrangements are made.

Certain questions asked by Councilman Wamboldt concerning the purchase of $528,000. bonds by the City of Asheville were referred to the Corporation Counsel to determine the legality of the transaction.

There being no further business, the meeting, on motion, adjourned.

Mayor

City Clerk

Thursday, January 26, 1933- 4:30 P. M.

The City Council met in regular session; Mayor Green presiding. Present: Councilmen H. G. Brookshire, Wilbur Devendorf, W. C. Britt, Plott Boyd, Frank S. Smith, Wickes Wamboldt, Julian A. Woodcock, Ottis Green and Louis Lipinsky, Corporation Counsel J. G. Merrimon and City Manager, R. W. Rigsby. The minutes of the previous meeting were read and approved.

The request of Mr. Charles G. Buck, attorney on behalf of the Metropolitan Life Insurance Company for a quit claim deed to an alleyway from Hibrten Drive to Montford Avenue was on motion of Councilman Smith, seconded by Councilman Devendorf, unanimously referred to the Corporation Counsel.

A letter addressed to Councilman Wickes Wamboldt from Corporation Counsel J. G. Merrimon answering certain questions in regard to the purchase of bonds by the City was read to the Council.

A report of the special committee on Mission Hospital, composed of Councilmen Plott Boyd, Wilbur Devendorf and Louis Lipinsky, recommending that the City contribute $500. to partially off-set the excess expenditure of the hospital on patients placed in the Hospital upon permits by the City Physician, and that the City follow the same course as has been followed in the past was presented.

A motion made by Councilman Woodcock, seconded by Councilman Britt that the report be accepted was unanimously carried.

REPORT SPECIAL COMMITTEE ON MISSION HOSPITAL

Upon request of a representative of the Board of Directors of the Mission Hospital, a special committee was appointed to review the present policy of the city in relation to putting patients in the hospital and making such recommendations as were though advisable.



Your committee has made a thorough investigation of this matter and finds the following conditions which, among other things, were giving the management of the hospital considerable concern due to the [illegible] finances.

1. We find miscellaneous emergency cases are being taken to the hospital through the police department. It is recommended that the city in these cases follow the same course that has been followed in the past, namely paying for those cases for which it is legally liable.

2. Upon investigation of the cases which are placed in the hospital upon permits issued by Dr. Dan Sevier, it is found that due to the practice of the hospital keeping patients longer than certain permits called for has caused an excess cost to the hospital over and above the allowance permitted under the appropriation of the city averaging $350. each month. We recommend that all reasonable effort be made to confine our permits, which together with overlappage, shall not equal more than $18. per week than the average monthly allotment of $350. Furthermore, in view of a statement of the Director of Finance that a limited amount of money would be available to assist the hospital in expenditures already made, it is recommended that $500. be contributed to partially off-set the excess expenditure of the hospital on patients put in under permit for the past six months, but that this contribution is not in anyway to be taken as setting a precedent or committing ourselves to the future.

Plott Boyd
Wilbur Devendorf
Louis Lipinsky
Committee.

January 26, 1933.

A resolution of the City-County Debt Committee was presented, expressing their interest in and desirability of extending an invitation to the Bondholders' and Noteholders' Committees for further conference.

The City-County Debt Committee has heretofore recommended a certain settlement of the community obligations, which settlement has been accepted by the City Council of the City of Asheville, but has not been accepted by the County Commissioners, and has been attacked by other elements of the community.

This Committee earnestly contended for a more moderate interest rate, but under the conditions existing at that time was unable to get the consent of the Bondholders' and Noteholders' Committees.

It now appears that a large part of the opposition to the proposed debt settlement is based upon the rate of interest provided in the contract, and if a reduction can be obtained, we think that a united and harmonious community would strive sincerely for the fulfillment of the agreement.

Under the circumstances, this Committee will be glad to have the City Council and the County Commissioners extend an invitation to the Bondholders' and Noteholders' Protective Committees for a further conference looking to a reduction in the interest rate.

CITY-COUNTY DEBT COMMITTEE

Reuben B. Robinson
CHAIRMAN

January 26, 1933.

It was moved by Councilman Woodcock, seconded by Councilman Boyd, that the resolution be accepted and ~~the resolution be~~ copied in the minutes of the Council.

[illegible]

A resolution of the City Council urging the Sub-committee of the Bondholders and Noteholders to further conference was on motion of Councilman Frank S. Smith, seconded by Councilman W. C. Britt, unanimously adopted.

WHEREAS, this Council has clearly set forth its position relative to accepting the debt agreement in a resolution dated December 29, 1932, and stated in a resolution dated January 5, 1933, an attitude of welcoming any further concessions which the County Debt Committee might procure, and

WHEREAS, subsequent events have made it appear that the final carrying out of this agreement may be nullified by opposition beyond the control of the City Council, and

WHEREAS, this Council is convinced that an agreement is vital for this community:

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ASHEVILLE:

That in the interests of community harmony and cooperation, and in the hope of obtaining an amicable settlement satisfactory to all interests we invite the Sub-Committee of Bondholders and Noteholders to further conference and urge them to consider the advisability of further negotiations relative to interest rates and other matters.

BE IT FURTHER RESOLVED that a copy of this resolution be immediately sent to the representatives of the Bondholders' and Noteholders' Committees.

I move the adoption of the foregoing resolution, this the 26th day of January, 1933.

Frank S. Smith
COUNCILMAN

Seconded by: W. C. Britt
COUNCILMAN

Read, approved, and adopted, this the 26th day of January, 1933.

Ottis Green
MAYOR

E. G. Thompson
CITY CLERK

APPROVED AS TO FORM:

J. G. Merrimon

CORPORATION COUNSEL.

There being no further business, the meeting, on motion, adjourned.

Mayor

City Clerk.

Thursday, February 2, 1933- 4:30 P. M.

The City Council met in regular session; Mayor Green presiding. Present: Councilmen Julian A. Woodcock, Wickes Wamboldt, Frank S. Smith, Plott Boyd, W. C. Britt, H. G. Brookshire, Wilbur Devendorf, Louis Lipinsky and Ottis L. Green, Corporation Counsel J. G. Merrimon and City Manager R. W. Rigsby. The minutes of the previous meeting were read and approved.

A petition from property owners and tenants on Rankin Avenue, requesting that parking be allowed on the east side of Rankin Avenue from College Street to Walnut Street for fifteen minutes parallel to the curb was presented.

A motion was made by Councilman Woodcock, seconded by Councilman Smith, voted on and carried that the petition be referred to the City Manager and the Director of Public Safety for attention and action.

Mr. James S. Howell, attorney for Mrs. Anna Linn presented claim for $50.00 for damages to store at 275 Ashland Avenue by water from fire plug in front of store, which was referred to the Legal Department.



February 1st, 1933

Honorable Ottis Green,
Mayor of City of Asheville,
and the City Council,
Asheville, North Carolina.

Gentlemen:

I respectfully present claim to your honorable body on behalf of Mrs. Anna Linn, for damages to her store at #275 Ashland Avenue, on Saturday morning, January 14th, 1933. The damage to her store and to her business was brought about by a defective fire plug, which caused water to be thrown into the store of Mrs. Linn; the fire plug is directly in front of her building, and only a few feet from the steps leading into her store. On the morning in question, the fire department used the fire plug for the purpose of extinguishing a fire near her store, and the use of the plug resulted in the damages explained to you.

When the defective plug burst, the water from the fire plug was thrown into the store, damaging goods in the store, and causing the store to be closed for sometime, as it was necessary to keep the front door closed in an effort to keep out the water.

Mr. C. C. Stedman, Manager of this store, notified members of the city prior to this time, that the plug was defective; in fact, in order to use the plug from which to get water to flush the streets, it has been necessary to use a cloth covering over the plug to prevent the water from being thrown against the store, and my client feels that the city has ample notice, and should have made the repairs, which would have prevented the damage.

Mrs. Linn respectfully files claim for $50.00 damages, due to the negligence of the city in failing to make the necessary repairs after having been notified.

This notice is given in compliance with Section 144, Chapter 418, Page #78, Pennell's Code, of the City of Asheville, 1927.

I am furnishing a copy of this notice to Mr. R. W. Rigsby, City Manager, and will present the claim before your Board in regular session.

Yours very truly
James S. Howell.

JSH:W
CC-Hon. R. W. Rigsby,
City Manager.

A letter was received from the County Commissioners calling attention to the fact that they had requested the removal of the Associated Charities from the Court House due to the fact that the operation of this function of government was congesting their elevators and that the facilities in the Court House were not fitted for the housing of the number of people visiting the Associated Charities. It was suggested also in the interest of economy to the County and the available facilities of the City Hall that the City accommodate the Associated Charities.

On motion of Councilman Smith, seconded by Councilman Britt, a resolution in regard to providing suitable quarters for the Associated Charities was unanimously adopted.

RESOLUTION

WHEREAS, the City Council of the City of Asheville has received a communication from the County Commissioners calling attention to the fact that they have requested the Associated Charities to be removed from the Court House because of inconvenience and expense of handling this very important function of government which has heretofore been handled in close conjunction with other similar function by the County and other agencies, and

WHEREAS, it was suggested that this move was made upon the basis of congestion and the saving of money to the County, and with the further expressed thought that the City could handle this function on the first and mezzinine floors of the city hall, and

WHEREAS, the location mentioned in the city hall is wholly inadequate, and the expense would merely be transferred from the County to the City;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ASHEVILLE:

1. That it is tremendously interested in so important a function as is being performed by the Associated Charities, and are interested in the welfare of all dependant people of this community, and it will make an effort to provide suitable quarters, even though separation of welfare and relief agencies may decrease effectiveness of this work.

2. That the City Council appoint a committee of three to work with the City Manager and submit an early report on this matter.

I move the adoption of the foregoing resolution, this the 2nd day of February, 1933.

Frank S. Smith
COUNCILMAN

Seconded by: W. C. Britt
COUNCILMAN

Read, approved and adopted, this the 2nd day of February, 1933.

APPROVED AS TO FORM:
J. G. Merrimon
CORPORATION COUNSEL.

Ottis Green
MAYOR

E. G. Thompson
CITY CLERK

Mayor Green appointed Councilmen W. C. Britt, J. A. Woodcock and Wilbur Devendorf a committee to work with the City Manager to provide suitable quarters for the Associated Charities.

Mr. James H. Charnock, representing the Miller Curb Number Company filed a proposal to paint street names and house numbers on the curbs, which was laid on the table until next week.

There being no further business, the meeting, on motion, adjourned.

Mayor

City Clerk

Thursday, February 9, 1933- 4:30 P. M.

The City Council met in regular session; Mayor Green presiding. Present: Councilmen Platt Boyd, W. C. Britt, H. G. Brookshire, Wilbur Devendorf, Ottis Green, Wolf Lipinsky, Frank S. Smith, Wickes Wamboldt, and Julian A. Woodcock, Corporation Counsel, J. G. Merrimon and City Manager R. W. Rigsby. The minutes of the previous meeting were read and approved.

A motion was made by Councilman Wamboldt, seconded by Councilman Woodcock and unanimously carried that the Department of Law and the City Manager immediately get into proper form changes that may be necessary to make the city charter thoroughly workable and that representatives of the fire and police departments be invited to confer regarding civil service and pension laws. At the suggestion of the Corporation Counsel, a committee composed of Mayor Green, Councilman Wamboldt, City Manager R. W. Rigsby and Corporation Counsel was authorized to prepare such changes in the city charter as are necessary to make the charter more workable.

Councilman Britt, Chairman of the committee appointed to assist the Associated Charities in finding a suitable location to carry on its activities, reported that the Ashland Avenue school building presented the best solution as a probable location and recommended that the City Council express its appreciation to the School Board in permitting the use of this school building and the approval of expenditures for repairs and monthly expenses.

(Report of Committee on Relocation of Associated Charities)



REPORT OF COMMITTEE ON RELOCATION OF ASSOCIATED CHARITIES

Your committee, appointed to work with the City Manager on the matter of assisting the Associated Charities in finding a suitable location to carry on its activities aftet being notified by the County Commissioners to vacate its present quarters, is pleased to make the following report.

The Associated Charities, through its officials, asked the city to cooperate with them in finding a location, and after inspection, it was found that the City Market would require considerable renovation in order to make it suitable, and upon investigation of the officials of the Associated Charities, and after careful inspection by these officials and your committee, it was determined that Ashland Avenue School building presented the best solution as a probable location, since there are certain other activities of the Associated Charities located at that place.

The principle interest of the city was to cooperate in getting a suitable location, and so far as possible to take care of those expenses which could not reasonably be considered a charge against the County funds.

Therefore, we wish to recommend:

1. That the City Council express its appreciation to the School Board for their interest and courtesy in permitting the use of this school building.

2. Upon being assured by the Director of Finance that the present position of the budget will permit us to take care of the estimated expenses, we recommend that the following expenditures be approved.

First Cost:

| | | |
|---|---|---|
| Roof Repair | $ 40.00 | |
| Material for rehabilitating building to make it usable | 750.00 | 790.00 |

Monthly Expense:

| | | |
|---|---|---|
| Monthly water bill | 20.00 | |
| Monthly light bill | 15.00 | |
| Monthly coal bill (average) | 45.00 | 80.00 |
| | | $870.00 |

Yours respectfully,

W. C. Britt
Julian A. Woodcock
Wilbur Devendorf

February 9, 1933.

It was moved by Councilman Smith, seconded by Councilman Brookshire, voted on and carried, that the report of the Committee be accepted.

Mr. Rigsby read a report on revision of assessments and suggested that the Corporation Counsel be instructed to draft a law for consideration of this Council.

REPORT ON REVISION OF ASSESSMENTS

The members of this Council have discussed the matter of procuring the right through legislatice enactment for adjusting assessments within certain limits which now constitute liens against property in the City of Asheville.

The reason why this is desirable is because many assessments are so out of proportion to the value of the land against which they lie that the unreasonable and confiscatory. The benefits of such legislation would be:

1. It would enable the property owner to redeem his property which had been sold for taxes, against which such assessment liens lie, upon a much more favorable basis.

2. It would permit the clearing up of our assessment rolls by the use of bonds which can be purchased at reduced prices.

3. This will enable the city to reduce its bonded indebtedness more rapidly.

I would suggest that the Corporation Counsel be instructed to draft such a law for consideration of this Council.

Feb. 9, 1932.

R. W. Rigsby
City Manager

A motion was made by Councilman Wamboldt, seconded by Councilman Woodcock, and unanimously carried, that the City Manager's report be adopted and that a special committee be appointed to work with the Corporation Counsel.

Mayor Green appointed the following Councilmen Lipinsky, Smith and Brookshire [illegible] Street Assessment Committee.

On motion of Councilman H. G. Brookshire, seconded by Councilman Wilbur Devendorf, Ordinance #186, entitled An ordinance regulating parking on Rankin Avenue, and being for the immediate preservation of the general public, it is hereby declared an emergency ordinance was passed on its first reading. Voting "aye" Councilman Plott Boyd, W. C. Britt, H. G. Brookshire, Wilbur Devendorf, Louis Lipinsky, Frank S. Smith, Wickes Wamboldt and Julian A. Woodcock. "noes" none.

It was moved by Councilman Julian A. Woodcock, seconded by Councilman Wickes Wamboldt, that the rules be suspended and ordinance #186 be passed on its second reading. Voting "aye" Councilman Plott Boyd, W. C. Britt, H. G. Brookshire, Wilbur Devendorf, Louis Lipinsky, Frank S. Smith, Wickes Wamboldt and Julian A. Woodcock. "noes" none.

On motion of Councilman Frank S. Smith, seconded by Councilman W. C. Britt, Ordinance #186 was passed on its third and final reading and adopted. Voting "aye" Councilmen Plott Boyd, W. C. Britt, H. G. Brookshire, Wilbur Devendorf, Louis Lipinsky, Frank S. Smith, Wickes Wamboldt and Julian A.Woodcock. "noes" none.

ORDINANCE #186

AN ORDINANCE REGULATING PARKING ON RANKIN AVENUE, AND BEING FOR THE IMMEDIATE PRESERVATION OF THE GENERAL PUBLIC, IT IS HEREBY DECLARED AN EMERGENCY ORDINANCE.

THE CITY COUNCIL OF THE CITY OF ASHEVILLE DO ORDAIN:

Section 1. That the parking of any motor vehicle or vehicle on either side of Rankin Avenue, from its intersection with College Street to its intersection with Walnut Street, except for the purpose of loading or unloading, is hereby prohibited, except as hereinafter provided:

(a) Parking will be permitted for a period of thirty (30) minutes on the east side of Rankin Avenue, parallel to the curb and within six (6) inches thereof, from College Street to a point 92.5 feet south of the southern margin of Walnut Street.

Section 2. That any person, firm or corporation, violating any of the provisions of this ordinance, shall be subject to a penalty of ten ($10.00) dollars, with in the discretion of the court, for each and every such violation.

Section 3. That this ordinance, being for the immediate preservation of the public peace and safety of the citizens and residents of the City of Asheville, is hereby declared an emergency ordinance to take effect immediately after its first publication in a newspaper published in the City of Asheville.

Section 4. That all ordinances or clauses of ordinances in conflict herewith be and the same are hereby repealed.

I move the adoption of the foregoing ordinance, this the 9th day of February, 1933.

H. G. Brookshire
COUNCILMAN

Seconded by: Wilbur Devendorf
COUNCILMAN

Rules suspended and immediately put upon its second and third reading for adoption and declared to be an ordinance of the City of Asheville.

Read, approved and adopted, this the 9th day of February, 1933.

Ottis Green
MAYOR

E. G. Thompson
CITY CLERK

APPROVED AS TO FORM:

J. G. Merrimon

CORPORATION COUNSEL



On motion of Councilman Wickes Wamboldt, seconded by Councilman [illegible], A resolution opposing Federal taxation of States and [illegible] was unanimously adopted.

RESOLUTION OPPOSING FEDERAL TAXATION OF [illegible] BY THE CITY COUNCIL:

WHEREAS, the Commissioner of Internal Revenue of the United States is seeking through the court to [illegible] of the Federal Revenue Act of 1932, placing taxes upon [illegible] ties, which applies to utilities operated by municipalities and [illegible] utilities, and

WHEREAS, a decision favorable to the [illegible] to further attempts to tax municipal operations, and

WHEREAS, the 3% tax in the [illegible] amount to over $10,000 annually, which would [illegible] the people of this community.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ASHEVILLE:

1. That in the enforcement of the Revenue Act of 1932, the Federal Government shall not impose an obligation upon any state or territory or political subdivision thereof, or on the [illegible] of the aforesaid.

2. The term "political subdivision" includes any [illegible] created under the laws of a State or territory for the purpose of [illegible] or operating any public utility.

3. That the City Clerk be instructed to [illegible] and representatives of this state copy of this resolution at once.

I move the adoption of the foregoing resolution, this the 9th day of February, 1933.

Wickes Wamboldt
COUNCILMAN

Seconded by: Frank S. Smith
COUNCILMAN

Read, approved, and adopted, this the 9th day of February, 1933.

Ottis Green
MAYOR

E. G. Thompson
CITY CLERK

APPROVED AS TO FORM:
J. G. Merrimon
CORPORATION COUNSEL.

Permission was granted the Miller Curb Number Company to [illegible] number on curbs; the work to be done under the supervision of the Director of Public Works.

There being no further business, the meeting, on motion, was adjourned.

Mayor

City Clerk

Thursday, February 16, 1933- 4:30 P. M.

The City Council met in regular session; Mayor Green presiding. Present: Councilmen Plott Boyd, H. G. Brookshire, Wilbur Devendorf, Ottis L. Green, Louis Lipinsky, Frank E. Smith, Wickes Wamboldt and Julian A. Woodcock, Corporation Counsel J. E. Merrimon and City Manager R. W. Rigsby. The minutes of the previous meeting were read and approved.

Mr. L. L. Croneberger, Secretary of the Municipal Ownership Association, [illegible] a comparison of electrical rates based on average for municipal owned plants in the United States as compared with local rates, which was ordered filed.

A representative of the Y. W. C. A. made a request that the City furnish the Y. W. C. A. free water.

A motion was made by Councilman Lipinsky, seconded by Councilman Smith, which was unanimously carried, that the matter of considering furnishing free water to the Y. W. C. A. and the Y. M. C. A. be referred to the City Manager, the Corporation Counsel and attorneys representing the Y. M. C. A. and the Y. W. C. A. to work out the solution.

A motion made by Councilman Boyd, seconded by Councilman Wamboldt, that other matters that might come under the same heading be considered at the same time, did not carry. Voting "yes" Councilmen Wamboldt, Boyd and Devendorf, Voting "no" Councilmen Smith, Brookshire, Woodcock and Lipinsky.

Mr. Rigsby read a report of Committee on proposed charter amendments.

Your committee after discussing throughly the advisability of recommending changes in the charter, have the following report to make:

1. While there are certain changes in the charter that probably should be made in the interest of clarity and consistency, it is deemed inadvisable at this time to suggest any changes. This determination was reached in view of the fact that certain other changes are being recommended by other agencies which have a tendency to pervert this form of government, and we feel that in the interest of harmony and consistency that no changes should be recommended by this Council, and that we should oppose vigorously any changes by any other agencies, or group of individuals.

2. A conference has been had with representatives of the fire department and police department relative to proposed amendments to the charter with special reference to pensions and civil service.

This committee recommends definitely against the proposed changes in the civil service regulations that proposes to make the civil service board a governing board instead of a civil service board in that power to discharge an employee is taken from the city administration and placed in the hands of this board.

As to the pension bills this committee has proposed and expects to confer with representatives of the two departments on pension bills which will in our opinion be more satisfactory to the citizens and taxpayers, as well as employees, and will reserve for the governing body of the city some measure of control.

Respectfully,

Ottis Green
Wickes Wamboldt
J. G. Merrimon
R. W. Rigsby
COMMITTEE

February 17, 1933.

A motion made by Councilman Boyd, seconded by Councilman Brookshire, that the report of the Committee on proposed charter amendments be accepted was unanimously carried.



February 16, 1933.

A motion made by Councilman Woodcock, seconded by Councilman [illegible], that the Council go on record as approving the proposed bill entitled "An act to [illegible] the allocation of state highway funds for use in repairing [illegible] in cities and towns was unanimously carried.

The Corporation Counsel reporting on the investigation of the claim of Mrs. Anna Linn for damages to stone at 175 Ashland Avenue by water from fire plug in front of store, advised that in his opinion there is no liability on the part of the City of Asheville.

There being no further business, the meeting, on motion, adjourned.

Mayor

City Clerk

Thursday, February [illegible], 1933- 7:30 P. M.

The City Council met in regular session; Mayor Green presiding. Present: Councilmen, Julian A. Woodcock, Wickes Wamboldt, Louis Lipinsky, Frank E. Smith, H. G. Brookshire, W. C. Britt and Plott Boyd, Corporation Counsel, J. E. Merrimon and City Manager R. W. Rigsby.

The minutes of the previous special meeting were read and approved with the following correction: The motion that the report of the Committee on proposed charter amendments be accepted was not voted on.

A petition signed by residents requesting that [illegible] be changed to Charlotte Place was presented and no action taken on the petition.

The request of Mr. W. L. Ballard that the license [illegible] taxi between West Asheville and Asheville be transferred to [illegible] was on motion of Councilman Woodcock, seconded by Councilman Britt ordered referred to the City Manager and the Corporation Counsel. This motion on being put to a vote carried unanimously.

Mr. Zeb. F. Curtis, Attorney, presented a bill of [illegible] for the account of $10.00 for fees as expert witness in hearing before the [illegible] case of A. D. Ramsey.

It was moved by Councilman Wamboldt, seconded by Councilman [illegible], and carried that the matter be referred to the Corporation Counsel, unanimously.

[illegible] COMMISSION--APPOINTMENT

It was moved by Councilman Woodcock, seconded by Councilman Wamboldt, voted on and carried that Mr. W. J. East be appointed member of the [illegible] Commission.

CITY CHARTER AMENDMENTS - REPORT

It being called to the attention of the Council that the report of the committee on proposed charter amendments presented at last week's meeting, had not been voted on, the report was read and on motion of Councilman Woodcock, seconded by Councilman Britt accepted. Voting "aye" Councilmen Woodcock, Britt, Lipinsky, Boyd and Brookshire, voting "no" Councilman Wamboldt.

[illegible]

Mr. Theodore B. Sumner, President of the [illegible] Boy Scouts, asked the Council approve a bill asking for a "straight-out" revenue [illegible] in behalf of the County.

On motion of Councilman Plott Boyd, seconded by Councilman Julian A. Woodcock, a resolution requesting the General Assembly to enact legislation for a re valuation of all property in the County of Buncombe for purposes of taxation was unanimously adopted.

RESOLUTION

BE IT RESOLVED THAT THE CITY COUNCIL OF THE CITY OF ASHEVILLE respectfully requests the General Assembly of North Carolina, now in session, to enact legislation for a re-valuation of all property in the County of Buncombe for purposes of taxation.

I move the adoption of the foregoing resolution, this the 23rd day of February, 1933.

Plott Boyd
COUNCILMAN

Seconded by: Julian A. Woodcock
COUNCILMAN

Read, approved and adopted, this the 23rd day of February, 1933.

Ottis Green
MAYOR

E. G. Thompson
CITY CLERK

APPROVED AS TO FORM:

J. G. Merrimon

CORPORATION COUNSEL.

There being no further business, the meeting, on motion, adjouned.

E. G. Thompson
City Clerk

Thursday, March 2, 1933- 4:30 P. M.

The City Council met in regular session; Mayor Green presiding. Present: Councilmen Julian A.Woodcock, Wickes Wamboldt, Plott Boyd, W. C. Britt, H. G. Brookshire, Oliver Vanderhoof, Louis Lipinsky and Ottis Green, Corporation Counsel, J. G. Merrimon and City Manager W. W. Finley. The minutes of the previous meeting were read and approved.

A petition signed by property owners on Eugene Avenue requesting that the [illegible] Eugene Avenue was presented and on motion of Councilman Woodcock, seconded by [illegible], unanimously ordered referred to the City Manager.

Mr. C. Vanderhooven, President of the Asheville Civic Music Association, [illegible] to the Council suggesting tentative plans for the erection of an auditorium [illegible] of Asheville, after which the matter was referred to the Auditorium Committee [illegible] Councilmen Plott Boyd, W. C. Britt and Frank S. Smith.

[illegible] Councilman Julian A. Woodcock, ~~seconded by Councilman Julian A. Woodcock~~, seconded by Councilman W. C. Britt A resolution Authorizing the Mayor of the City of Asheville to execute a quit claim deed to the herein described property was unanimously adopted:

RESOLUTION

A RESOLUTION AUTHORIZING THE MAYOR OF THE CITY OF ASHEVILLE TO EXECUTE A QUIT CLAIM DEED TO THE HEREIN DESCRIBED PROPERTY.--

WHEREAS, an action was instituted in the Superior Court of Buncombe County, North Carolina, by the City of Asheville, against the property owner having listed the following described property for the year 1928, and a judgment was rendered authorizing the sale of said property for the payment of taxes and costs on said property hereinafter described, and



WHEREAS, it now appears that said [illegible] rendered on April 25, 1931, [illegible] described were paid in full, and that the property [illegible] may have been erroneously and inadvertently sold by mistake sold under said judgment by DeVore C. Lentz, [illegible]

WHEREAS, said property [illegible] commissioner under said judgment [illegible] the Court, has made deed conveying said property hereinafter described to the City of Asheville, which deed is dated June 23, 1931, and is recorded in the office of the Register of Deeds for Buncombe County, North Carolina; and

WHEREAS, if the taxes on the said property hereinafter described have been paid, as aforesaid, the City of Asheville would hold no title to said property and the cloud on said title should be removed by quit-claim deed executed by the Mayor of the City of Asheville.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ASHEVILLE:

That the Mayor of the City of Asheville be and he is hereby authorized to execute quit-claim deed, the same to be attested by the City Clerk and the city seal attached, conveying the following described property, to-wit:

CERTIFICATE IN THE NAME OF (Listed Owner) LOT SHEET WARD.

2287 Troy Weatherby, [illegible]

When [illegible] payment of said taxes [illegible] satisfaction of the City Manager.

I move the adoption of the foregoing resolution, this the 2nd day of March, 1933.

J. G. Merrimon
COUNCILMAN

SECONDED BY: W. C. Britt
COUNCILMAN

Read, approved and adopted, this the 2nd day of March, 1933.

Ottis Green
MAYOR

E. G. Thompson
City Clerk

APPROVED AS TO FORM:

J. G. Merrimon

CORPORATION COUNSEL.

[illegible]

A motion made by Councilman Lipinsky, [illegible], that a committee of three be appointed to work with the City Manager relative to quit claim deeds and recommend to the Council the manner under which they should be handled and what information should be placed on the minutes of the meetings as information, was unanimously adopted.

Mayor Green appointed Councilman [illegible] committee.

[illegible]

Councilman Woodcock made a motion, which was seconded by Councilman Wamboldt, that the consideration of the tentative budget of the Municipal Board of Election be deferred until next week. This motion carried unanimously.

There being no further business, the meeting, on motion, [illegible].

Mayor Ottis Green

E. G. Thompson
City Clerk

Thursday, March 9, 1933- 4:30 P. M.

The City Council met in regular session; Vice-Mayor Lipinsky presiding. Present: Councilmen Louis Lipinsky, Julian A. Woodcock, Wickes Wamboldt, Plott Boyd, [illegible] and Wilbur Devendorf, Corporation Counsel, J. G. Merrimon, [illegible] P. [illegible] The minutes of the previous meeting were read and appro[illegible]

Mr. H. C. [illegible], also representing Mr. Frank Silverman, presented claim [illegible] to the city.

The Corporation Counsel advised that, in his opinion, the Council had no [illegible] to refund.

It was moved by Councilman Woodcock, seconded by Councilman Britt, that the [illegible]. The motion being put to a vote carried unanimously.

[illegible] brought to the attention of the Council that the regular time [illegible] W. [illegible] as member of the Board of Financial Control has expired.

[illegible] taken.

Mr. [illegible] recommended that the request of Mr. W. L. Ballard for transfer [illegible] taxi between East Asheville and Asheville be refused as he does [illegible] automobile.

It was moved by Councilman Woodcock, seconded by Councilman Brookshird that the [illegible] City Manager be adopted. This motion carried unanimously.

[illegible] to further business, the meeting, on motion, adjourned.

E. G. Thompson
City Clerk

Mayor

Thursday, March 16, 1933- 4:30 P. M.

The City Council met in regular session; Mayor Green presiding. Present: Councilmen Plott Boyd, A. C. Britt, H. G. Brookshire, Ottis L. Green, Louis Lipinsky, [illegible] Julian A. Woodcock, Corporation Counsel J. G. Merrimon and City Manager [illegible]. The minutes of the previous meeting were read and approved.

[illegible] petition signed by owners of property abutting on Mountain Road requesting [illegible] for the repair and maintain same was on motion of Councilman Wamboldt, unanimously referred to the City Manager.

[illegible] petition signed by property owners requesting that the name of Dale Street [illegible] Glendale Street was on motion of Councilman Wamboldt, unanimously referred to the City Manager for report.

It was moved by Councilman Woodcock, seconded by Councilman Britt, that the City accept Eugene Avenue, Mr. Bixby [illegible] the City be not to be to the expense of accepting and grading the street at this time.

It was moved by Councilman Woodcock, seconded by Councilman Boyd, that the recommendation of the City Manager be adopted. This motion carried unanimously.

Mr. Arnold Vanderhoof, recently appointed a member of the Civil Service Board, presented his resignation as member of the Planning Commission.

It was moved by Councilman Wamboldt, seconded by Councilman Woodcock, voted on and carried that the resignation be accepted.



On motion of Councilman Louis Wamboldt, [illegible] A Resolution Authorizing [illegible] was unanimously adopted.

[illegible] ION

RESOLUTION [illegible]
QUIT CLAIM [illegible]

Whereas, in action [illegible] Buncombe County, North Carolina, [illegible] owners having [illegible] the following [illegible] and judgments [illegible] the payment of [illegible] rendered on [illegible] described were [illegible] reasons set forth [illegible] DeVere C. Lentz, Assistant Corporation Counsel: [illegible] examined, [illegible] Tax Collector, [illegible] have been certified [illegible] Assistant Corporation Counsel [illegible] beincorrect- [illegible] communication shall be filed [illegible] Clerk, in a separate file known [illegible] Quit Claim [illegible] the City of Asheville [illegible] it appearing [illegible] property [illegible] and inadvertently [illegible] by mistake or [illegible] DeVere C. Lentz, described [illegible]; and

Whereas, said properties [illegible] commissioners [illegible] Court, has made deeds conveying said property [illegible] City of Asheville, which [illegible] the office of the [illegible]

Whereas, if the taxes on [illegible] have been paid, [illegible], or if [illegible] Assistant Corporation Counsel, [illegible] City [illegible] to sell property [illegible] the clouds [illegible] deeds executed by the Mayor of the City [illegible]

NOW, THEREFORE, BE IT [illegible] ASHEVILLE:

That the Mayor of the City of Asheville [illegible] to execute quit claim deeds, the same to be [illegible] City Clerk and city seal affixed, conveying the following [illegible]:

| CERT. NO. | NAME(Listed Owner) | Lot | Block |
|---|---|---|---|
| 1 | A. M. Agnew | [illegible] | |
| 1548 | Bessie R. Atkins | [illegible] | N |
| 1548 | Bessie R. Atkins | [illegible] | M |
| 2816 | Asheville Construction Co. | 1 | |

When and if payment of [illegible] satisfaction of the City Manager.

I move the adoption [illegible] day of March, 1933.

Louis Lipinsky
Councilman

SECONDED BY: [illegible]

Read, approved and adopted, this [illegible]

[illegible]
City Clerk

[illegible]
Mayor

I hereby certify that the foregoing resolution [illegible] set forth is correct, and that the irregularities, if not [illegible] in the assessment roll [illegible] Roy Young, Tax Collector, have been [illegible] by the Board.

DeVere C. Lentz
Assistant Corporation Counsel

APPROVED AS TO FORM:
J. G. Merrimon
CORPORATION COUNSEL

...Councilmen Lipinsky, seconded by Councilman Wamboldt, it was dec... the Council meet in a committee Friday afternoon at 3:30 to consider the ... to enable the city to carry out the debt contract.

... business, the meeting, on motion, adjourned.

City Clerk

Thursday, March 23, 1933- 4:30 P. M.

The City Council met in regular session; Mayor Green presiding. Present: ... Woodcock, Wickes Wamboldt, Plott Boyd, W. C. Britt, H. G. Brookshire, ... Lipinsky and Ottis L. Green, Corporation Counsel, J. G. Merrimon, ... The minutes of the previous meeting were read and

... filed by Little, Smith, Kitchin & Auten, attorneys for Miss N. M. Rober... the City of Asheville in the sum of $2,500.00 for personal injuries ... on sidewalk was on motion of Councilman Wamboldt, ... Councilman Britt unanimously ordered referred to the Corporation Counsel.

NORTH CAROLINA
... COUNTY.

... :
... : NOTICE OF CLAIM.
... :

... CITY OF ASHEVILLE:

You will please take notice that the Claimant, Miss N. M. Roberts, ... claims damages against the City of Asheville in the sum of $2,500.00 for ... injuries sustained by her by reason of a fall on a public sidewalk ... City of Asheville.

1. That the damages claimed by the Claimant, in the sum of $2,500.00, ... doctors bills, loss of time resulting from inability of Claimant to ... usual household duties, pain, suffering, both in body and mind, ... permanent injuries to the person of Claimant.

2. That the date of said injuries complained of was on or about Mar... Claimant is informed and believes and therefore alleges that ... permanently disabled by reason of the said injuries complained of. ... injuries on March 12, 1933 this Claimant was in ... in body and mind.

3. That the post office address of Claimant is at 27 Barnard Avenue, in the City ... County of Buncombe and State of North Carolina.

4. That on the afternoon of the 12th day of March 1933 Claimant ... public sidewalk of the City of Asheville, said sidewalk ... Western margin of Hillside Street, Claimant walking in an ... direction toward Charlotte Street. That when Claimant reached a pla... intersection of Hillside Street with Liberty Street on said ... her foot came in contact with a concrete obstruction in the sidewalk, ... obstruction being an abrupt break in the concrete rising about 2½ inches ... the surface of the sidewalk. That for a space of about 100 feet back ... from the direction from which Claimant had been walkingthe sidewalk was very ... and with no obstructions whatever, and that the place or obstruct... in this block, and that this Claimant had no warning whatever ... the obstruction or obstruction.

5. That upon Claimant's feet struck this obstruction her feet were ... knocked from under her body and she was thrown violently forward on her face, ... that Claimant's face struck the pavement with such force that she was rendered ... senseless for several minutes. That her face, left arm, right knee, and side ... struck the hard surface of the sidewalk causing great pain, shock and wounds.



That Claimant ... advised and believes ... scarred and disfi... was and is caused by reason ... bruised condition ... and left ... Claimant ...

6. That all of the injuries ... and proximate ... and proximately ... negligently ... of repair.

7. That ... care should have ... notice, of the dangerous ... That Claimant is informed ... other persons ... for this Claimant's ... at the same place ... to the attention ... sidewalk.

8. That all of the injuries ... the unlawful, ... sidewalk ... the Corporation, ...

9. That by reason ... failure to ... its duty ... the sum of $2,500.00

This 22nd ... March 1933.

... Claimant

... Attorneys for Claimant

Sworn to and ... this 22nd day of March, 1933.
Joseph L. Auten
Notary Public

Service of the foregoing notice is hereby accepted ... receipt of copy ...

...

The claim of Mr. John Bryman for payment of automobile ... which was taken from lot by city employees was on motion of Councilman ... Councilman Lipinsky, unanimously ordered referred to the City Attorney ... Corporation Counsel.

March 23, 1933.

Mr. DeVere Lentz, Assistant
Corporation Counsel,
City Hall, Asheville, N. C.

Dear Sir:

In accordance with the request of Mr. Wood Cocke, I am ... presenting my claim for some automobile ... near my home by some of the city employees.

The parts taken were a front road ... radius rods, springs, etc. on two Chevrolet 1½ trucks. ... from Richbourg Motor Company and Brown ... of the Ford front axle assembly will be ... wheels are $7.50 each.

There was also a Model T. Ford ... by Mr. Gunger on February ... me.

I will appreciate it if you can ... very much in need of the use of my car, ... running shape.

Yours very truly,
John Bryman.

...

Mr. Rigsby in reporting on investigation ... the Y. M. C. A. for free water, read a letter from the Corporation Counsel ... no legal manner in which water could be ... the Y. M. C. A. ... Y. M. C. A., and ... made the following recommendation, that ... water would be turned off unless payment was ...

Councilman Britt, seconded by Councilman Boyd that the [illegible] adopted. Voting "aye" Councilman Britt, [illegible], Lipinsky and Woodcock. Voting "no" Councilman Lipinsky.

[illegible] Councilman Wambolt, which was seconded by Councilman [illegible] Council go on record as disapproving the enabling act drawn [illegible] special act which would permit the City Council to put into [illegible] adopted did not carry. Voting for the [illegible] Brookshire ; voting against the motion, Councilmen [illegible].

[illegible] Councilman Wambolt, seconded by Councilman Brookshire, that [illegible] opposing amendments exempting Buncombe County from the state [illegible] taxes did not carry. Voting "aye" Councilmen Wambolt, Brookshire [illegible] "no" Councilmen Britt, Lipinsky and Woodcock. Councilmen Devendorf [illegible].

A motion of Councilman Wambolt, seconded by Councilman Lipinsky, that the City Council go on record as favoring the Wilcox Municipal Debt RefundingBill introduced in Congress for the relief of local burdened cities and so notify our senators and representa[illegible] adopted.

[illegible] business, the meeting, on motion, adjourned.

[illegible]
City Clerk

Thursday, March 30, 1933- 4:30 P. M.

The City Council met in regular session; Mayor Green presiding. Present: Councilmen Plott Boyd, T. C. Britt, W. D. Brookshire, Wilbur Devendorf, Ottis Green, Louis Lipinsky, Wicker Wambolt, Julian A. Woodcock, Corporation Counsel J. G. [illegible], City Manager F. T. Bixby. The minutes of the previous meeting were [illegible].

[illegible] Council to attend the opening of the Swimming pool [illegible] C. I. [illegible] was accepted by the Councilmen individually.

[illegible] Councilman Plott Boyd, seconded by Councilman Julian A. Woodcock [illegible] Director of Finance to execute contract for a riding devic[illegible] unanimously adopted.

RESOLUTION

RESOLUTION AUTHORIZING THE DIRECTOR OF FINANCE TO EXECUTE [illegible] RIDING DEVICE FOR THE RECREATION PARK.

[illegible], for the purpose of obtaining better equipment, and for the pleasure of the public in general, the City Council of the City of Asheville is desirous of having installed at the Recreation Park a device known as the "Hey-Dey".

[illegible] BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF [illegible].

That the Director of Finance of the City of Asheville is hereby [illegible] to execute a contract with Fred Keen, of Charleston, South Carolina, to install at the Recreation Park, a park owned by the City of Asheville, one device known as the "Hey-Dey", which contract is to be approved as to form by the Corporation Counsel.

That said contract is to be executed on the condition that the City of Asheville shall receive thirty (30%) percent from the gross receipts of said device.

I move the adoption of the foregoing resolution.

Plott Boyd
COUNCILMAN

Seconded by: Julian A. Woodcock
COUNCILMAN

[illegible]

[illegible]
J. G. M[illegible]
[illegible]

[illegible]

[illegible] Mr. Bixby [illegible] be changed to the original name of [illegible] present name and not [illegible].

A motion [illegible] Councilman [illegible] the recommendation [illegible].

Mr. Bixby [illegible] Mountain Road and recommend [illegible] the petition [illegible].

It was moved by Councilman Britt, [illegible] Council accept the City [illegible] recommendation.

[illegible]

The following members of the [illegible] appointed by the Council:

R. H. McDuffie
W. W. Smathers
F. R. Baker
Mrs. W. E. Logan
Mrs. Wilbur Devendorf
Allen T. Morrison
Charles S. Davis, Jr.

Voting for the nominations and appointments, Councilmen [illegible] Devendorf, Green, Lipinsky and Woodcock. Councilmen [illegible] not vote.

There being no further business, the meeting, on motion adjourned.

Mayor [illegible]

[illegible]
City Clerk

Thursday, April 6, 1933- 4:30 P. M.

The City Council met in regular session; Mayor Green presiding. Present: Councilmen Platt Boyd, W. C. Britt, H. G. Brookshire, Wilbur Devendorf, Ottis Green, Louis Lipinsky, Fiske Reynolds and Julian A. Woodcock, Corporation Counsel, J. G. Merrimon, and City Manager, R. W. Rigsby. The minutes of the previous meeting were read and approved.

A claim filed by B. F. Ellsworth Jr. for damage to automobile was on motion of Councilman Woodcock, seconded by Councilman Devendorf, unanimously ordered referred to the Corporation Counsel.

"Arrowhead", R. F. D. #1 Asheville, N. C.
April 6, 1933.

To the Mayor of Asheville
and City Council,
Asheville, N. C.

Gentlemen:

On March 29, 1933, at about 1:05 P. M. the failure of the traffic lights to operate correctly at Broadway and Walnut Street caused an unavoidable collision between the Essex Sedan owned by Mr. C. B. Harrison and the Chrysler Eight Sedan owned by myself. This was due to the fact that the circuit controlling the traffic light on Walnut Street at this point is a different circuit from the one on Broadway, resulting in confusion of the drivers.

Mr. Harrison, driving up the hill on Walnut Street, which is a blind corner, received the green light, instructing him to proceed, which he obeyed. I was going toward the Square on Broadway, and the signal lights facing me, and which should issue the instruction for the movement of my car, failed to show a light at all, and, therefore, failed to display the red danger signal, which serves as an order to me to stop, so as to protect me from crossing traffic. As this failure of lights is very common at this corner and other corners in the city, I proceeded in the way a driver does under such a situation. I watched for traffic coming up the hill on Walnut Street, as far as I could see, and brought my car to a stop, and, noticing that no lights were coming and no crossing traffic in sight, I started my car slowly and carefully to cross. When I reached the middle of the street I first saw Mr. Harrison's car burst into view coming up the Walnut Street hill, he having received the green light facing in his direction. Being directly in front of him when he came in view, I stepped on my throttle in the endeavor to get out of his way, but as I had used extra care to proceed slowly, my engine choked, and he hit me head on, on the right side of my car, at the junction of the running board and right rear wheel. It threw my car at a 45 degree angle, but being an expert and experienced driver, I caught the skid and straightened my car before it could run up on the sidewalk, and then stopped and returned to Mr. Harrison's car. He at once blamed me for the accident, and said that he was going in the direction of the green light. I immediately told him that it was an unavoidable accident, as all the lights in my path, including the red light, failed to operate. Mr. Harrison then returned with me and we both inspected the operation of the lights at this point, and Mr. Harrison saw at once and admited that the explanation which I made him was true, and all the lights, including the red light in my path, were still failing to operate. Further examination showed that these lights were not properly installed, so that one light could show a clear green light when the right angle signal failed to show at all, the lights being on different circuits. When this green light showed to the Walnut Street traffic it indicated to such cars that, in accordance with thecity laws, they had a clear passage to cross. The failure of the light to show a danger signal in my path indicated to me that the light was not working and that it was up to me to cross this street slowly and carefully, with close attention. This I did, and owing to the lack of speed, referred to above, I was unable to avoid the rapidly approaching car of Mr. Harrison, as we both burst upon each other's view in the blind street.

Both Mr. Harrison and myself took our cars to the M. & M. Motor Company and had them put in shape again, this being the cheapest place at which the work could be done. The bill rendered me, at the instruction of Mr. Harrison, by the M. & M. Motor Company, is attached herewith, and amount to $37. The Bill for the repair to my car, which was not so badly injured as that of Mr. Harrison, will amount to $18.03. This is made up as follows:

| | |
|---|---|
| Bill of the M. & M. Motor Company | $ 3.00 |
| Bill of the Conabear Motor Company for a new hub cap | 3.03 |
| " " " " " " tightening of all bolts and joints loosened by the collision | 3.00 |
| Estimated charge from J. M. Hearn & Co. for trueing three wheels, which were thrown out of true by the impact | 9.00 |
| | 18.03 |

making a grand total of bills which I am called upon to settle of $55.03.

To sum up,- the City has issued orders that the traffic should obey the lights placed in definite positions on certain intersecting street corners, one of which is Broadway and Walnut Street, and at about 1:05 P. M. of March 29, 1933, the green light at Walnut Street, crossing at Broadway, directed the traffic to proceed at regular speed. The Broadway light at this intersection not working failed to show the red danger signal directing the Broadway traffic to stop, thus causing the collision as described herein, resulting in the cash outlay I was caused for repairs to both cars, amounting to $55.03, for which I claim the city should reimburse me.

Kindly give this your prompt attention, and oblige,

Very trust yours,
B. F. Ellsworth, Jr.

Incls.
BDE:cle

Mr. Thomas W. Raoul filed a claim of the Town of Biltmore Forest for $540.00, the city's part of street lighting from July 1st, 1929 to September 1st, 1931 paid by the Town of Biltmore Forst.

It was moved by Councilman Woodcock, seconded by Councilman Britt, that the claim be referred to the City Manager and the Corporation Counsel. This motion carried unanimously.

On motion of Councilman W. C. Britt, seconded by Councilman H. G. Brookshire, Resolution authorizing the Mayor of the City of Asheville to execute contract with the County of Buncombe for the purpose of milk inspection in the County of Buncombe, was unanimously adopted.

RESOLUTION

RESOLUTION AUTHORIZING THE MAYOR OF THE CITY OF ASHEVILLE TO EXECUTE CONTRACT WITH THE COUNTY OF BUNCOMBE FOR THE PURPOSE OF MILK INSPECTION IN THE COUNTY OF BUNCOMBE.

WHEREAS, the City Milk Inspector's duties are set forth in the city milk ordinance, which is drafted from the United States Public Health Milk Ordinance, and

WHEREAS, Attorney-General Dennis G. Brummitt has ruled that the city inspection has jurisdiction over the production of the milk supply coming into the city of Asheville, regardless of its place of production, and

WHEREAS, the city charter of the City of Asheville, in Article three, Section twenty-six, recites:

"Nothing in this charter shall prevent the Council, by a two-thirds vote of its members, from authorizing and directing the execution of a contract with Buncombe County for the joint performance of similar administrative duties or function or functions of said county and city by a consolidation of the agencies thereof by which such functions are at the time of making such agreement being performed and their subsequent joint operations as one agency at joint expense or for the performance of said administrative function for the benefit of both said city and Buncombe County by one of such agencies then existing at joint expense, whenever in the judgment of the Council such action is deemed for the best interest of the City of Asheville " and

WHEREAS, the City Council of the City of Asheville isof the opinion that a contract should be entered into with the County of Buncombe, and that the City of Asheville should make all necessary inspections and laboratory findings and that the County of Buncombe should be required to pay one-half of the total expense involved.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ASHEVILLE:

That the Mayor of the City of Asheville is hereby directed to execute a contract with the County of Buncombe, said contract to provide that the City of Asheville shall make all necessary inspections and laboratory findings and that the County of Buncombe shall pay, monthly, one-half of the total expense to the City of Asheville; and that this Council is of the opinion that this contract isfor the best interests of the City of Asheville, said contract being hereto attached and made a part of this resolution, and the same shall be embodied in the Minutes of the proceedings of the City Council.

I move the adoption of the foregoing resolution, this the 6th day of April, 1933.

W. C. Britt
COUNCILMAN

Seconded by H. G. Brookshire
COUNCILMAN

Read, approved and adopted, this the 6th day of April, 1933.

Ottis Green
MAYOR

E. G. Thompson
CITY CLERK

APPROVED AS TO FORM:
J. G. Merrimon
CORPORATION COUNSEL.

STATE OF NORTH CAROLINA )
)
COUNTY OF BUNCOMBE )

THIS CONTRACT AND AGREEMENT, made and entered into this the ____ day of April, 1933, by and between the COUNTY OF BUNCOMBE, a body corporate and politic of the State of North Carolina, party of the first part, and the CITY OF ASHEVILLE, a municipal corporation chartered, organized and existing under and by virtue of the laws of the State of North Carolina, party of the second part,

W I T N E S S E T H :

WHEREAS, the parties hereto, by and through their respective governing bodies duly authorized so to do, do hereby make and execute this contract for the joint performance of all that certain function of the County and City relating to the inspection and laboratory findings concerning milk, milk supplies, and milk products supplied to the inhabitants of the City of Asheville and County of Buncombe, and regulating the cost incident thereto and fixing the portions which each of said parties shall pay.

NOW, THEREFORE, for and in consideration of the premises and of the sum of one dollar ($1.00) in hand paid to each of the parties hereto, receipt whereof is hereby acknowledged, the parties mutually agree as follows:

That the party of the second part is to and shall make all necessary milk inspections and laboratory findings for all dairies supplying milk, milk supplies and milk products to the city of Asheville and any other place or places, town or towns, in the county of Buncombe, and shall make monthly reports to the Board of County Commissioners of Buncombe County of such inspections and findings.

The total expense and cost incurred and necessary for making such inspections and findings shall be borne by each party in equal amounts and the party of the second part shall render monthly statements to the party of the first part with the said report hereinbefore mentioned showing the amount of such costs and expenses due by the party of the first part to the party of the second part, which amount the party of the first part hereby promises and agrees to pay within_____days from the rendition of said report and statement if said statement is found correct, and if objection is made thereto said objection shall be made within _____days and adjustment shall be had by the parties hereto and payment made in accordance with said adjustment.

IN WITNESS WHEREOF, the COUNTY OF BUNCOMBE has caused these presents to be executed in the name of the County, by the Chairman of its Board of Commissioners, the County seal to be affixed hereto and attested by the Clerk of said Board, all by authority of its Board of Commissioners; and the CITY OF ASHEVILLE has caused these presents to be signed in its name by its Chief Executive Officer; viz; its Mayor, and its corporate seal to be hereto affixed and attested by its City Clerk, all by authority of the City Council, this the day and year first above written.

ATTEST:

COUNTY OF BUNCOMBE,

CLERK

BY_____
CHAIRMAN,
BOARD OF COMMISSIONERS.

ATTEST:

CITY OF ASHEVILLE,

CITY CLERK

BY_____
MAYOR

APPROVED AS TO FORM:

County Attorney for the
COUNTY OF BUNCOMBE

Corporation Counsel for the
CITY OF ASHEVILLE.



STATE OF NORTH CAROLINA )
)
COUNTY OF BUNCOMBE. )

THIS IS TO CERTIFY that on the ____day of April, 1933, before me a Notary Public in and for the aforesaid county and state, personally came GEORGE A. DIGGES, JR., with whom I am personally acquainted, who, being by me duly sworn, says that H. GRADY REAGAN is the Chairman, and that he, the said GEORGE A DIGGES, JR., is the Register of Deeds for the County of Buncombe, North Carolina, North Carolina; the corporation described in and which executed the foregoing contract; that he knows the corporate seal of said corporation; that the seal affixed to the foregoing contract is said corporate seal, and that name of the corporation was subscribed thereto by the said Chairman and that the said Chairman and Clerk subscribed their names thereto and said corporate seal was affixed, all by order of the Board of Commissioners of the Board of Commissioners of said corporation, and that the said instrument is the act and deed of said corporation.

WITNESS my hand and notarial seal, this the ____day and year first above written.

_____
NOTARY PUBLIC

My Commission Expires:

_____

STATE OF NORTH CAROLINA )
)
COUNTY OF BUNCOMBE. )

THIS IS TO CERTIFY that on the _____day of April, 1933, before me, a Notary Public in and for the aforesaid County and State, personally came E. G. THOMPSON, with whom I am personally acquainted, who, being by me duly sworn, says that OTTIS GREEN is the Chief Executive Officer of the City of Asheville, viz: its Mayor, and that she, the said E. G. THOMPSON, is the City Clerk of said municipal corporation described in and which executed the foregoing contract; that she knows the common seal of said municipal corporation and that the seal affixed to the foregoing contract is said common seal, and the name of the corporation was subscribed thereto by the said Mayor and that the said Mayor and City Clerk subscribed their names thereto, and the said common seal was affixed, all by order of the City Council of said municipal corporation, and that the said contract is the act and deed of said municipal corporation, the City of Asheville.

WITNESS my hand and notarial seal, this the day and year first above written.

_____
NOTARY PUBLIC

My Commission Expires:

_____

[illegible]

Mayor Green appointed Councilmen W. C. Britt, Plott Boyd and Julian A. Woodcock, a committee to work with the Corporation Counsel and the City Manager to draft an ordinance regulating the sale of beer in the City of Asheville.

[illegible]

A motion made by Councilman Britt, seconded by Councilman Brookshire, that action in appointing two members of the Asheville City School Board be [illegible] until next meeting was unanimously carried.

There being no further business, the meeting, on motion, adjourned.

Mayor

[illegible]
City Clerk

Thursday, April 17, 1933- 4:30 P. M.

[illegible] City Council met in regular session: Mayor Green presiding. Present: [illegible] Wamboldt, Plott Boyd, W. C. Britt, H. G. Brookshire, [illegible] Ottis Green, Corporation Counsel, J. G. Merrimon and [illegible] Manager, R. W. Rigsby. The minutes of the previous meeting were read and approved.

A resolution introduced by Councilman Wickes Wamboldt, seconded by Councilman [illegible], protesting to the General Assembly against certain proposed legislation [illegible] the right of the people of Buncombe County the right to vote on the question of adjusting and [illegible] was read.

Mayor Green ruled the resolution out of order upon the Corporation Counsel stating that he was not willing to sign the resolution in its present form.

Councilman Wamboldt made a motion, seconded by Councilman Brookshire, that the Council go on record favoring amendment to Senate Bill No. 10, requiring vote of the people [illegible] upon expression of the members of the Council against voting for [illegible] legislation. The motion was withdrawn.

Mr. Arthur Burn, representing the Veterans of Foreign Wars, requested permission to sell poppies on the street, the Saturday nearest Memorial Day.

It was moved by Councilman Woodcock, seconded by Councilman Devendorf, that the City Manager with request that he made arrangements with the [illegible] to sell poppies.

Mr. Boyce M. Pritchard, representing Mr. Young, a wholesale produce dealer, [illegible] the Revenue Ordinance not being enforced. No action taken.

Mr. Rigsby recommended that the bill of the Town of Biltmore Forest in the amount of $650.00, the city's share of street lighting paid by the Town of Biltmore Forest, be paid.

On motion of Councilman Woodcock, seconded by Councilman Britt, it was unanimously carried that the recommendation of the City Manager be adopted.

The request of the Board of Financial Control for approval of the City Council [illegible] appointment of an agent to make settlement of claim against the Farmer's Federation, Inc., and J. G. K. McClure, Jr., and wife, on city collateral was presented.

It was moved by Councilman Woodcock, seconded by Councilman Devendorf, voted on [illegible] that the City Council approve the settlement proposed to be made by the Board of Financial Control with the Farmer's Federation, Inc. and J. G. K. McClure Jr. and wife [illegible] City Manager be appointed agent to express this consent.

The following members of the Asheville City School Board were nominated and [illegible] reappointed:

Mr. [illegible] Rizzo and Mr. E. E. Wheeler.

There being no further business, the meeting, on motion, adjourned.

Mayor

E. G. Thompson
City Clerk

April 20, 1933

Thursday, April 20, [illegible]: [illegible] P. M.

The City Council met in regular session: Mayor Green presiding. Present: Councilmen Julian A. Woodcock, Wickes Wamboldt, Plott Boyd, W. C. Britt, H. G. Brookshire, Wilbur Devendorf, Louis Lipinsky and Ottis L. Green, Corporation Counsel, J. G. Merrimon, and City Manager, R. W. Rigsby.

The minutes of the previous meeting were read and approved with the following correction:

Councilman Wamboldt made a motion, seconded by Councilman H. G. Brookshire, that the Council go on record against any amendment to Senate Bill No. 10, which would restrict the people of Buncombe County from the right to vote on any such settlement agreement.

[illegible]

The request of W. G. Fortune, attorney, that the City make quit claim deed to property located on Brooklyn Alley and Allen Street foreclosed for taxes, was presented. Councilman Woodcock, seconded by Councilman Devendorf, unanimously carried that the City Manager and the Corporation Counsel.

[illegible]

A notice of claim for damages to property of Elizabeth Whitt, [illegible] was filed by Reed Kitchin, Attorney at Law.

On motion of Councilman Lipinsky, seconded by Councilman [illegible], the claim was unanimously referred to the Corporation Counsel.

STATE OF NORTH CAROLINA
COUNTY OF BUNCOMBE
CITY OF ASHEVILLE.

ELIZABETH WHITT,
Plaintiff

-vs-

CITY OF ASHEVILLE
Defendant

NOTICE OF CLAIM FOR DAMAGES TO PROPERTY

ELIZABETH WHITT of 145 Park Avenue, City of Asheville, State of North Carolina, hereby files this, her claim and notice of claim against the City of Asheville for damages to her property located on the West margin of Park Avenue and extending back to the North margin of East Haywood, said East Haywood being the new street opened from Clingman Avenue to the East end of the West Asheville bridge in said City of Asheville, and to that end hereby set forth:

1. That the amount of damages claimed by said Elizabeth Whitt to her property, which is more particularly described hereinafter, is Two Thousand ($2,000.00) Dollars.

2. That the date on which the damage occurred was on or about the 15th day of March, 1933, and is still continuing.

3. That the residence of the claimant is at 145 Park Avenue, City of Asheville, North Carolina.

4. That the damages arose as follows: That the claimant herein is the owner of Lot 99, Sheet 4, Ward 4, as shown on the City Maps of the City of Asheville and that the City of Asheville, as claimant is informed and believes, is the owner of Lot 98, Sheet 4, Ward 4, shown on said City Maps: that the said Lot 98 owned by the City of Asheville fronts on Park Avenue and extends back to a very narrow point to the margin of the new street running from Clingman Avenue to the East end of the West Asheville bridge and that Lot 99 owned by the claimant herein immediately adjoins said Lot 98 on the North and extends and meets it at the narrow point on the East end, where said Lot 98 strikes the margin of the street; that said [illegible] to fill at this place and leaves a very [illegible] point [illegible] so that the recent rains and snows have greatly [illegible] the East end of said lot owned by the City, down into the street and exposed the East end of the lot owned by the claimant [illegible] the rock wall at the rear of the East end of the lot owned by the claimant is gradually falling down and caving in and [illegible] down and claimants lot is gradually caving away from the East end into the Street, by reason of the negligent failure of the City to fill the [illegible] an adequate lateral support to its own property, and [illegible] that of the claimant herein. That this claimant is advised, informed and believes that if some measure is not resorted to to provide for the caving in of the lot, that it will still more greatly endanger the property of the claimant and cause still greater damage than herein set forth.

...claimant demands payment of said sum of $2,000.00 as damages ... respectfully request the said City of Asheville to have this claim examined ... and client further give notice that unless some action ... on this claim and notice within the time required by law, ... will be instituted to enforce the same.

Reed Kitchin
Attorney for Claimant.

...ion of Councilman Wamboldt, seconded by Councilman Woodcock, the request ... for eight-seating bus be required to post itinery, schedule and ... be referred to the City Manager and the Corporation Counsel ... action.

Mr. Riley reported that the representatives of the organizations desiring to ... parade on Armistice Day had been unable to decide on the same date and recommended that ... be given to the American Legion and the following Saturday to the Veterans of ... wars.

It was moved by Councilman Woodcock, seconded by Councilman Britt that the recommend... of the City Manager be accepted.

On motion of Councilman W. C. Britt, seconded by Councilman H. G. Brookshire, Ordinance #187 entitled An ordinance requiring all motor busses, as defined by Ordinanc... operating in the City of Asheville to provide by insurance or bond for the protection of ... persons from damages to persons or property caused by the negligence of the owner of ... such motor bus or his servants, agents and employees, and being for the immediate preserv... tion of the public peace and safety of the citizens of the City of Asheville it is hereby ... declared an emergency ordinance, was passed on its first reading.

Voting on the passage of the ordinance on its first reading, "Aye", Councilmen W. C. Britt, H. G. Brookshire, Wilbur Devendorf, Ottis L. Green, Louis Lipinsky, and Julian A. Woodcock, voting "no" Councilmen Plott Boyd and Wickes Wamboldt.

On motion of Councilman Julian A. Woodcock, seconded by Councilman Wilbur Deve... the rules were suspended and the ordinance No. 187 passed on its second reading. Voting for the suspension of rules and the passage of the ordinance on its second readin... "Aye" Councilman W. C. Britt, H. G. Brookshire, Wilbur Devendorf, Ottis L. Green, Louis Lipinsky, and Julian A. Woodcock, voting "no" Councilmen Plott Boyd and Wickes Wamboldt.

On motion of Councilman Julian A. Woodcock, seconded by Councilman W. C. Britt the rules were suspended and Ordinance No. 187 passed on its third and final reading ... ordinance declared to be an ordinance of the City of Asheville to take effect after the first day of May, 1933.
Voting for the suspension of rules and the passage of the ordinance on its third and fin... reading: "Aye" Councilmen W. C. Britt, H. G. Brookshire, Wilbur Devendorf, Ottis L. Green, Louis Lipinsky and Julian A. Woodcock, voting "no" Councilmen Plott Boyd and Wickes Wamb...

ORDINANCE #187

AN ORDINANCE REQUIRING ALL MOTOR BUSSES, AS DEFINED BY ORDINANCE ___, OPERATIN... IN THE CITY OF ASHEVILLE TO PROVIDE BY INSURANCE OR BOND FOR THE PROTECTION OF ... PERSONS FROM DAMAGES TO PERSONS OR PROPERTY CAUSED BY THE NEGLIGENCE OF THE ... OWNER OF SUCH MOTOR BUS OR HIS SERVANTS, AGENTS AND EMPLOYEES; AND BEING FOR THE ... IMMEDIATE PRESERVATION OF THE PUBLIC PEACE AND SAFETY OF THE CITIZENS OF THE CITY OF ASHEVILLE IT IS HEREBY DECLARED AN EMERGENCY ORDINANCE.

THE CITY COUNCIL OF THE CITY OF ASHEVILLE DO ORDAIN:

Section 1. That the owner of every motor or jitney bus, as defined in the city ordinances, now operated over fixed and established routes in the city of Asheville, except such as are operated under the exclusive control of the Corporation Commission of North Carolina, shall file within three (3) days after the passage of this ordinance a policy or policies of liability insurance or bonds with some solvent surety, justified according to the laws of North Carol... in the sum of not less than five thousand ($5,000) dollars, indemnifying agains... liability for damage wrongfully done by any motor bus used by said owner in su... business for the death or injuries to any one person as the result of negligen... of the said owner of said bus or any servant, agent or employee of said owner;



and in the sum of not less than ten thousand ($10,000) dollars, indemnifying against liability for damage wrongfully done by any motor bus used by said owner in such business for the death or injuries to more than one person as the result of negligence of the said owner of said bus or any servant, agent or employee of said owner, in the same accident; and in the sum of one thousand ($1,000) dollars for any damage to property in any one accident, arising from the result of the negligence of the owner of said motor bus or any servant, agent or employee of said owner.

Section 2. There shall be filed such insurance policy or bond for each and every of the said motor busses operated, and a blanket policy covering more than one motor bus will not be allowed.

Section 3. The failure to file said bond within the time herein prescribed, to-wit: three (3) days after the passage of this ordinance, will be ground for the cancellation of any license issued to operate said motor bus in the city of Asheville.

Section 4. This act shall not and does not repeal any ordinance now in force and effect and shall be in addition thereto.

Section 5. Any person, firm or corporation failing to comply with this ordinance and to furnish the insurance and bond herein provided, shall be subject to a penalty of twenty-five ($25.00) dollars per day for each and every day said ordinance is violated, in addition to the cancellation of said license.

Section 6. This ordinance, being for the immediate preservation of the public peace and safety of the citizens of the city of Asheville, is hereby declared an emergency ordinance to take effect after the first day of May, 1933, as provided by law.

I move the adoption of the foregoing ordinance, this the 20th day of April, 1933.

W. C. Britt
COUNCILMAN

Seconded by: H. G. Brookshire
COUNCILMAN

Rules suspended and immediately put upon its second and third readings and adopted and declared to be an ordinance of the City of Asheville.

Ottis Green
MAYOR

E. J. Thompson
CITY CLERK

APPROVED AS TO FORM:

J. G. Merrimon
CORPORATION COUNSEL

There being no further business, the meeting, on motion, adjourned.

Ottis Green
Mayor

E. J. Thompson
City Clerk

April 17, 1933

Thursday, April 17, 1933- 4:30 P. M.

City Council met in regular session; Mayor Green presiding. Present: [illegible], W. C. Britt, H. G. Brookshire, Wilbur Devendorf, Ottis L. Green, [illegible] Julian A. Woodcock, Corporation Counsel, J. G. Merrim[illegible]. The minutes of the previous meeting were read and appr[illegible]

[illegible] Junius Horner, Attorney, for $75.00, fee for legal services in th[illegible] City, which has been approved by the State Industrial Commission w[illegible] Councilman Wamboldt, seconded by Councilman Woodcock ordered referred to the [illegible] for report next meeting.

[illegible] Conway, representing a client who desires to deposit bonds for the [illegible] in accordance with the provisions of tax relief bill recently enac[illegible] City next payment, in comformity with the act.

The Corporation Counsel stated as soon as he receives the bill from Raleigh, [illegible] report in regard to acceptance of bonds for taxes.

The request of John Henry Thompson to sell pencils on the streets was referred [illegible] to make some arrangements with the Associated Charites, as there is an [illegible] selling pencils on the streets.

The report of the committee to draft regulations for the handling of beer was [illegible] motion of Councilmen Woodcock, seconded by Councilman Devendorf unanimo[illegible]

REPORT OF COMMITTEE TO DRAFT REGULATIONS FOR THE HANDLING OF BEER.

The committee to draft regulations for the handling of beer has [illegible] and discussion the problem in general. In view of the fact that [illegible] has not been ratified, we have no specific recommendations to make at this time. The State law, as proposed, is quite specific in its [illegible], and it is the feeling of this committee thatthe handling of beer [illegible] as much as possible consistent with the requirement of sanitati[illegible]

Pending the time that an ordinance is drawn we would suggest th[illegible] administration inform all applicants to compy with the requirements of th[illegible], and the sanitary requirements of the city, and no formal permit of [illegible] will be issued until an ordinance has been finally adopted covering [illegible] subject.

Julian A. Woodcock
W. C. Britt
Plott Boyd
R. W. Rigsby COMMITTEE

April [illegible], 1933.

[illegible] suggested that a bill be drafted to regulate lots being [illegible] junk piles, he made a motion which was seconded by Councilman Wamboldt [illegible], that the Corporation Counsel and the City Manager draft a bill auth[illegible] the city to regulate junk yards.

[illegible] City Manager was instructed on water rates outside the city recommended that ma[illegible] letters [illegible] to obtain prices and make further recommendations [illegible] to plans for sewer [illegible].

There being no further business, the meeting, on motion, adjourned.

Mayor

City Clerk



May 4, 1933

Thursday, May 4, 1933 3:00 P. M.

The City Council met in regular session; Mayor Green presiding. [illegible]: Councilmen Plott Boyd, W. C. Britt, H. G. Brookshire, Wilbur Devendorf, [illegible], Nicks Wamboldt, Julian A. Woodcock and Ottis Green, Corporation Counsel, J. G. Merrimon and City Manager, R. W. Rigsby. The minutes of the previous [illegible] were approved.

[illegible]

The request of representatives of the Spanish American War Auxiliary [illegible] carnations on the streets on Saturday the 13th, and of the Veterans of Foreign [illegible] they be given one Saturday in the month of May to sell poppies on the streets [illegible].

On motion of Councilman Devendorf, seconded by Councilman [illegible], it was unanimously carried, that the former action of the Council be rescinded, and the matter be referred to the City Manager for arrangements with the American Legion, which has previously been given the date of the 27th for their poppy sale. It was the opinion [illegible] sales should be accommodated within the month of May, desire to [illegible] preference of the 20th or the 27th., the Spanish American War Auxiliary was given [illegible] the 13th to sell carnations.

[illegible]

On motion of Councilman W. C. Britt, seconded by Councilman Julian A. Woodcock, Ordinance #188- entitled An ordinance relating to the issuing of licenses for the sale of beer and certain other beverages in the City of Asheville, was unanimously passed on its first reading. Voting "aye" for the passage of the ordinance on its first reading: Councilmen Boyd, Britt, Brookshire, Devendorf, Green, Lipinsky, Wamboldt and Woodcock.

On motion of Councilman Julian A. Woodcock, seconded by Councilmen Plott Boyd, the rules were suspended by a two-thirds vote of the Council and the ordinance passed on its second reading. Voting "aye", Councilmen Boyd, Britt, Brookshire, Devendorf, Green, Lipinsky, Wamboldt and Woodcock.

On motion of Councilman Julian A. Woodcock, seconded by Councilmen Plott Boyd, the rules were suspended and the ordinance passed on its third and final reading. Voting "aye", Councilmen Boyd, Britt, Brookshire, Devendorf, Green, Lipinsky, Wamboldt and Woodcock.

ORDINANCE #188

AN ORDINANCE RELATING TO THE ISSUING OF LICENSES FOR THE SALE OF BEER AND CERTAIN OTHER BEVERAGES IN THE CITY OF ASHEVILLE.

WHEREAS, the General Assembly of North Carolina [illegible] an Act known and designated as "The Beverage Control Act of 1933," providing for and legalizing the sale of beer, lager beer, ale, porter, wine, fruit juices, and other brew of fermented beverages, containing 1/2 of 1% of alcohol by volume, but not more than 3.2% of alcohol by weight, in the manner, and under the regulations prescribed and set forth in said Act: and

WHEREAS, said Act provides that the governing body of the respective municipalities of the State shall have full power to license persons, firms, partnerships, associations, corporations, or other groups or combinations, to sell at retail said beverages, upon compliance by the applicant or applicants, with the provisions of the said Act:

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF ASHEVILLE DO ORDAIN:

Section 1. That all licenses for the sale of the beverages aforesaid, shall be issued under, and in accordance with the terms, conditions and regulations, required and prescribed by the said Act of the General Assembly, known and designated as the "Beverage Control Act of 1933".

Section 2. That all applicants for license shall file with the City Manager an application, in writing, signed and verified by the applicant, or applicants, or the duly authorized agents and officers of same, said application to be on form prepared and approved by the Corporation Counsel, and which shall contain all the information required by the Act of the General Assembly.

Section 3. Should the City Council be satisfied from the information furnished, that the applicant is entitled to a license, under the provisions of said Act of the General Assembly, the City Manager be directed to approve the said application by his signature thereon, and the same shall also be approved as to form by the Corporation Counsel, and when so properly approved, the same shall be delivered by the applicant to the Tax Collector of the City of Asheville, who upon payment to him by the applicant of the sum of $15.00 for an "On premises license", and/or the sum of $10.00 for "Off premises license", and for each additional license issued to one person, firm, partnership, association, corporation, or other group or combination, an

of 10% of the base tax, such increase to apply progressively for each additional tax so issued, as provided in Sec. 11 of the Act of the [illegible] aforesaid, shall issue to the applicant a license to sell [illegible] retail, in the City of Asheville, at the place or places [illegible] application, for the period ending on the 30th day of April, next following the date of the issuance of said license. A separate license [illegible] for same shall be required of the applicant or applicants, for [illegible] places where said beverages are sold.

Section 4. Any violation of the provisions of the General Act [illegible], relating to the sale of said beverages within the corporate [illegible] City of Asheville, shall be ground for the revocation by the City Council of [illegible] license granted; provided, however, that said licensee shall be notified of such violation, and given a hearing as to any defense which can be [illegible] in respect of said violation, after two days' notice of time and place for such hearing.

Section 5. A violation of any of the provisions of this [illegible] by any licensee shall subject such violator to a penalty of $25.00 for each and every such offense.

Section 6. Should any Section, or any provision of this [illegible], be declared invalid, the other provisions thereof shall not be affected thereby.

Section 7. This ordinance shall be in full force and effect from and after its first publication.

I move the adoption of the foregoing ordinance, this the 4th day of May, 1933.

W. C. Britt
COUNCILMAN

Seconded by: Julian A. Woodcock
COUNCILMAN

On motion of Julian A. Woodcock, Councilman, seconded by Plott Boyd, Councilman, the rules were suspended by a 2/3rds vote of the Council, and said ordinance was immediately put upon its second and third and final reading, this the 4th day of May, 1933.

Ottis Green
MAYOR

E. G.Thompson
CITY CLERK

Approved as to form:

J. L. Morrimon

Corporation Counsel.

The request of Mr. T. C. Harrell, Assistant Liquidating Agent of the Bank of [illegible] Asheville in regard to taxes of Mrs. Annie L. Logan was on motion of Councilman Woodcock, seconded by Councilman Wamboldt, unanimously ordered referred to the Corporation Counsel.

On motion of Councilman Woodcock, seconded by Councilman Lipinsky, the recommendations of the Health Committee of the Business & Professional Women's Club in regard to the [illegible] regulation of certain health measures was unanimously ordered referred to the City Health Officer and the City Manager.

In regard to right-of-way busses having termini in Asheville, the Corporation Commission stated they had no supervision over this line of activity and the Corporation Counsel suggested that an ordinance might be drafted specifically setting out that notice be posted in offices or in cars giving exactly the service for which the fares are charged.

Councilman Wamboldt moved, seconded by Councilman Woodcock, voted on and carried that the Corporation Counsel draft an ordinance as suggested.

In regard to the claim of Elizabeth Whitt for damages, the Corporation Counsel reported that in his opinion the City is not liable and that the claim be denied.



The Corporation Counsel reported that the [illegible] used in payment of taxes was in the [illegible]

Councilman Wamboldt moved, seconded by Councilman [illegible] and the Corporation Counsel [illegible] with the [illegible] same plan. This motion [illegible].

Mr. Rigsby [illegible] report, dated May 1, 1933, which [illegible] City Government May 1, [illegible], which was seconded by Councilman [illegible], or [illegible] embodied in [illegible].

[illegible] Municipal [illegible]
[illegible] City Government [illegible],
May 1, 1933.

1. Re-organize [illegible] Government on the Council-Manager form of government.

2. Co-ordinate the activities [illegible] the functions [illegible] be performed [illegible] costs, representing a saving of over $200,000 [illegible].

3. Initiate negotiations [illegible] complete refunding plan, which [illegible] payments for [illegible] forty years, [illegible] ten years [illegible] which contemplates [illegible] for the City [illegible] County.

4. Receive [illegible] through the government in [illegible] pending final [illegible] of the contract, [illegible] reduction in [illegible] current burden [illegible].

5. Maintain [illegible] relationship [illegible] in spite of an approximate 50 [illegible] collection [illegible] operation on a cash basis during [illegible] that borrowing could not be negotiated [illegible].

6. Make all payments [illegible] averaging approximately $60,000 [illegible] pay their living expenses, and [illegible] by circulation of money.

7. Work out a plan [illegible] the complete rehabilitation of municipal [illegible] conditions in the community, including [illegible] insofar as this can be done by [illegible].

8. Put into effect [illegible] and cash payments which to [illegible] result can be disrupted by unfor[illegible] in the present condition barring [illegible] wholly to the effect of state legislation [illegible].

9. Procure a report [illegible] operation of progressive development [illegible].

10. Procure a report [illegible] Carolina on the subject of Social Agencies [illegible] recommendations for their proper [illegible].

11. Procure a report [illegible] other than anticipation by the City [illegible] worked out program.

12. Procure a report [illegible] ment of our water system by a well known [illegible] be made to serve the community with [illegible].

13. Develop a [illegible] spirit of cooperation, loyalty, honesty, [illegible] increased immeasurably the effectiveness [illegible].

14. Use various facilities [illegible] works, so that in spite of reduced [illegible] and well kept appearance in other public [illegible].

1. The operation of the Sanitary Department has been most effective ... free from justified complaints, and at the same time, the service ... been performed at a remarkably low cost per capita.

16. Maintained a per capita cost of operation and maintenance of the City at $15.60, and including schools at $22.26, whereas the average 49 cities in America of the same approximate size in 1931 was $34.99 per capita. Out of 315 cities in America, Asheville was within 32 of the lowest in matters of ... adjusted valuation.

17. Reduced the city tax rate from $1.60 in the fiscal year 1932-33, to $1.40 in 1933-34, to .87½ in 1932-33, and at the same time sustained a valuation of approximately 15%.

18. Handled the various difficulties and complications incident to a city in default without a single mandamus being filed.

19. Set-up all necessary financial controls over departmental revenue and expenditure, and in spite of tremendously reduced budgets, lived within budgets. Our present operation show a surplus of $59,371.58 over and ... all liabilities on May 1.

20. Discharged faithfully the duties consistent with the many new problems to meet without serious or well founded criticism, either upon the part of the creditors or the debtors.

21. Maintained public safety and public health upon a high and commendable basis of performance.

22. Reduced the debt of the city a total of $592,246.25.

23. Discharged the duties of legal defense through a dignified and well qualified legal department which has relieved the city of $250,709.87, ... difference between suits filed and awards. Suits filed amounted to $250,999.87 and awards to date amount to $290.00. This does not ... into consideration various claims and numerous tax suits.

A motion was made by Councilman Loomstock, seconded by Councilman Lipinsky, voted on and carried, that Corporation Counsel, J. G. Merrimon, be retained to try the suit of Fa... City of Asheville in the Supreme Court.

There being no further business, the meeting, on motion, adjourned.

Mayor

E. G. Thompson
City Clerk



May 11, 193...

Tuesday, May ..., 193... .

The City Council met in regular session ... Councilmen Plott Boyd, A. C. Britt, H. G. Brookshire, ... Louis Lipinsky, Wickes Wambolt and Julian A. ... and City Manager, R. W. Ripsby. The minutes ... approved.

A statement ... kept Councilman Frank ... performed during ...

As member ... this public ... Frank S. Smi... weeks ... two years. ... devoted hi... account of ill... proved him... His useful public spirit will continue ... to come.

Wilbur Devendorf
Wickes Wambol...
Walter C. Bri...
Plott Boyd

Offi...
Julian A. ...
Louis Lipinsky
...

A statement ... done by Mr. Ripsby, Mr. Merrimon, ... generally was read to ... Council.

In conclu... to put on ... done by Mr. R. W. Ripsby ... Counsel, ... of all ... and ... Asheville ...

I feel that ... in having ... tration, ... government ... endeavored to ... that his ... at its last ... review of ... Mr. Merrimon, ... has given the ... was left not... with the ... and as memb... splendid ...

There has ... not cooper... government ... and have ... of all dep... knows what ... gratitude to ...

Wilbur Deven...
Frank S. Smit...
Louis Lipins...

Offi...
Julian A. ...
...

The resignatio... of the City of Asheville ... Civil ... Council.

It was move... carried, that the resignation of Mr. Jones ... with regret.

May 11, 193...

To the Honorable Mayor and City Council
of the City of Asheville.
Asheville, North Carolina.

Gentlemen: I hereby tender my resignation ... Board of the City of Asheville effective May ..., 193... .

It ... been a pleasure and privilege to serve ... appointee on ... Board, during the ... I ... some small way ... part of your administration.

...come before the Board have been ... spirit generally demonstrated by the ... by the interest and earnestness with ..., including Mr. ... M. Smathers, recently resigned, have ...

Respectfully yours,
Thos. A. Jones, Jr.

...Councilman Louis Lipinsky, seconded by Councilman Walter C. Britt, ... illness of Councilman Frank S. Smith, was ... copy to Mr. Smith, together with ...

... ILLNESS OF COUNCILMAN FRANK S. SMITH

... Councilman Smith became ill several weeks ago and is still confi... illness:

... Councilman Smith, because of his illness, has been absent from meeting of ... period of several weeks, and the Council recognizes the loss of his able ...

... OF COUNCIL OF THE CITY OF ASHEVILLE:

... Councilman Smith the sincere appreciation of this Council for h... valuable assistance at all times, with the wish and hope that he will s...

... City Clerk be and is hereby directed and instructed to place this resolut... proceedings of the City Council, and to transmit a copy to Councilman ...

... the foregoing resolution, this the 11th day of May, 1933.

Louis Lipinsky
COUNCILMAN

...ed:

Walter C. Britt
COUNCILMAN

..., this the 11th day of May, 1933.

Otti... Green
MAYOR

...ed:

...
CITY CLERK

...

... Council was read by City Manager, R. W. Rigsby ...

... report to the members of this Council, who intrusted to m... administrative affairs of this City, I want to assure y... records are clear. All acts of the administration which ... will be found in the files, all financial records will be ... A certified public accountant will give me a ... new regime, showing that all transactio... pertaining to his office, everything is an open book.

... Mayor and Council, my sincere appreciation for the ... through two of the most difficult and perilous years ... accomplished have been written in the records-- ... conjecture. During the period through which we have ... which are readily appreciable by the ordinance ... to solve were such as to be easily misunderstood ... These are wholly unavoidable results, a... might have been otherwise, I have no regr... success unparalled by any city in the South, ... in the perspective which time alone reveals.

... from the old to the new", and since it is such a departure ... from, the new regime should not be hampered by any cer... the new approach to the problems of this city in ... concept.

... to work with this Council, and while there have been ... differences of opinion, ... been characterized by fair dealing and honest endeavor ... in behalf of the question of its approval.

... tenure of office automatically ceases, so far as I ... the present City Council ends. The affairs of t... manager pro... tion Monday, May 15, at 10 o'clock.

... administration the continued atmosphere of administra... harmony that has ... two years.

May 11, 1933.

R. W. Rigsby, City Manager



A letter from Mr. J. S. Merrimon, Corporation Counsel, ... Council:

May 11, 1933.

To the Mayor and City Council
City of Asheville
Asheville, North Carolina.

Gentlemen:

When I was elected ... corporation counsel of the Ci..., I ... position at the pleasure ... Council, and at my own pleasure. I ... for interim ... hold the office under any circumstances longer than ... present city council, ... office I accepted at the earnest ... city council, because I felt that I might be of service, ... a citizen of the community, ... what I could for the ... personal consideration. I do not feel that it ... sacrifices in such matters, ... administration. I shall ... the service of the city with ... the best I could during ... incumbency of the office, ... in such intimate contact with the members of the present council, all of whom I know, but ... most of whom I ... very highly personally.

By and large, my association with all persons connected with ... city government, ... been most agreeable and pleasant, and I shall look back ... with a great deal of satisfaction and contentment, feeling that I ... who were making similar or greater sacrifices than I, in an effort to ... in the community. As I look back over the past years since I ... fully say I have never known a city administration ... a body of men who were more actuated by high ... than it has been my pleasure to serve, most of whom ... To those retiring I ... were reelected I extend the good wishes, ... purpose and sense of duty to what they think best for the community, ... as at any time, ... economical administration.

If the new administration should ... services as citizen ... purpose, I trust that ... future of Asheville, which ... as seem to me as they ...

Very truly yours,
J. S. Merrimon
Corporation Counsel.

...

Councilman Wilbur Devendorf stated that it was ... the appreciation of the work done by Mayor Ottis Green, but the ... which he read, expressed the patience shown by Mayor Green.

Mayor Green ... appreciation.

Councilman Wambol ... pleasure in being associated with such fine men as members of the Council.

...

Mr. Merrimon's report on the request of Mr. T. C. Worrell, Assistant Liquidating Agent of the West Asheville Bank, in regard to taxes listed ... L. Loehn, was read, in which he stated that in his opinion, the City has no power to grant the request.

...

On motion of Councilman Julian A. Woodcock, seconded by Councilman Wilbur Devendorf, resolution authorizing the Mayor of the City of Asheville ... quit claim deed to the herein described properties ... unanimously passed.

RESOLUTION AUTHORIZING THE MAYOR OF THE CITY OF ASHEVILLE TO EXECUTE A QUIT CLAIM DEED TO CERTAIN PROPERTIES.

WHEREAS, an action was instituted in the Superior Court of Buncombe County, North Carolina, by the City of Asheville, against property owners owning lots as follows described properties for the year 1928, and a judgment was rendered authorizing the sale of said properties for the payment of the taxes and costs on said properties hereinafter described; and

WHEREAS, it now appears that prior to said judgments, which were rendered on April 25, 1932, said taxes on said properties hereinafter described were paid in full, or were erroneously listed, or erroneous for other reasons set forth in communications from J. Roy Young, Tax Collector, to De Vere C. Bentz, Assistant Corporation Counsel, and that the records have been examined in regard to statements contained in said communication from the

...ll, 19...

...x Collector, ... been verified by the Assistant Corporation Counsel as being correct ... of ... filed, in the office of the City Clerk, in a separate file and ... "Proposed Certificate, by-tax" Claim Deeds by the City of Asheville to ... appearing that the properties hereinafter described may ... apparently and by mistake ordered to be sold under said judgment ...

..., ... hereinafter described were sold by said commissioner ... ", by order of the Court, has made deeds conveying ... to the City of Asheville, which deeds are dated June 29, ... Register of Deeds for Buncombe County, North Carolina ...

..., if ... properties hereinafter described have been ... aforesaid, ... certified to by the Assistant Corporation Counsel ... that the City will obtain no title to said properties and the cloud on said ... will not be removed by the execution by the Mayor of the City of Asheville.

..., ... ALVES OF THE CITY COUNCIL OF THE CITY OF ASHEVILLE:

... Mayor of the City of Asheville be and he is hereby authorized to execute ... to be attested by the City Clerk and the city seal attached; ... deeds for the hereinafter described properties, to-wit:

| NAME (Last Owner) | LOT | UNIT | WARD |
|---|---|---|---|
| John White | 22 | X | 4 |
| [illegible] Atkinson & husband | 88-1/4 | 11 | 5 |

... payment of said taxes shall be established to the satisfaction of the ... Manager.

I move the adoption of the foregoing resolution, this the 11th day of May, 1938.

Julian A. Woo cock
COUNCILMAN

... Wilbur Devendorf:

Wilbur Devendorf
COUNCILMAN

..., approved the adoption, this the 11th day of May, 1938.

Ottis Green
MAYOR

E. G. Thompson
CITY CLERK

I hereby certify that the foregoing resolution as set forth is correct, and that the recitations, as set forth in the communications referred to from L. Roy Young, ... Collector, upon which said resolution are based are correct.

DeVere C. Lentz
ASSISTANT CORPORATION COUNSEL.

APPROVED AS TO:

J. E. ...mpson

City Attorney.

... there being no further business, the meeting, on motion, adjourned.

E. G. Thompson
City Clerk

May 11, 1938

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The first ... in the ... City Hall. ... retiring mayor, Honorable ... councilmen:

Wilbur ...
A. C. ...
John ...
Plott ...
H. G. ...

... to ... Councilmen ...

The meeting ... Councilman A. C. Avery, ... was unanimously elected ... Councilman.

Councilman ... Councilman A. C. Avery ... nomination was second... ... Hazbolt was unanimously ... by Councilmen H. G. Brook... ... Mayor.

Mayor Yam... ... nomination Brookshire nominated Councilman A. C. Avery ... Vice-Mayor John E. Baumberger. The ... Avery was unanimously ... Vice-Mayor.

It was moved ... Councilman J... ... voted on and carried ... the meantime the ... Clerk ...

Councilman John ... in electing a City Manager ... Thursday until ...

Lowry by Councilmen Charles F. Crow, ... City Council operate ... administration. This motion carried ...

A motion of Councilman Plott Boyd, ... Wachovia Bank & Trust Company ... carried.

Councilman Boyd moved, seconded by Councilman ... officials now in force remain the same until ...

A motion offered by Councilman Brook... ... committee composed of Councilmen Little, Hill ... collateral to protect the city's funds, ...

Councilman Brookshire moved, ... composed of Councilmen ... Avery ... manager. This motion carried unanimously.

On motion of Councilman ... composed of Councilmen Avery, Boyd ... Crow ... expenses and report at the next ... time.

The request of the Veterans of Foreign ... May 30th, 1938 as the day ... Councilman Boyd, seconded by Councilmen ... the next meeting of the Council on Tuesday.

...to be filed in the interest: that it is the sense of ... Corporation Counsel will be filled at the ... City Manager and a new Corporation Counsel, ... officers are expected to continue their duties ...

..., the meeting adjourned.

City Clerk

Thursday, May 18, 1933- 4:30 P. M.

...Council met in regular session; Mayor Wambold presiding. Present: ..., Chief ..., John E. Sumberger, H. G. Brookshire, Charles F. Crow, ... Wambold. The minutes of the previous meeting ... letter from Councilman Joseph W. Little expressing ... inability to attend the meeting were read.

... Mayor Councilmen Frank S. ... for the Chamber ...

... Jr. J. M. ..., President of the Asheville Chamber of Commerce ... Mayor of Asheville, and officials of ... Corporation.

... J. Collins in regard to payment of City of Asheville ..., in payment for information regarding time of ... Councilman Crow, seconded by Councilman Avery, ... Corporation Counsel.

May 18, 1933.

... Thirty (30) City of Asheville North Carolina ..., in which ... due January 1, 1934, ... duly.

... to us by the ... of the City of ... sufficient funds in the bank to meet the collection.

... from you may ... prior ... assurance that these ... will be ... for collection.

Very sincerely
Joseph W. Collins
Assistant-Councellor.

... Councilman Miller, ... by Councilman ... from Chief ... of the City of Asheville ... in the City ... Councilman Crow, seconded by Councilman ..., that ... City Manager was unanimously ...

Councilman ... now ... Solicitor, whose ... at an additional ... of $50.00 per month ... the services of the City.

... motion of Councilman ..., ... Thompson be authorized ...

On motion of Councilmen J. ..., ... resolution changing the hour of ... City Council ... P. M. Friday, was unanimously ...

A RESOLUTION ...

WHEREAS, the Council of the City of Asheville, North Carolina, ... of learning of the ... grievances of the people ... to satisfy all reasonable ... where there is a ...

WHEREAS, in order to accomplish results ... essential that the hour ... meeting of the Council ... the greatest number of people an opportunity to ... least amount of inconvenience or ...

THEREFORE, BE IT RESOLVED, that the hour of the regular meeting of the Council ... changed from 4:30 P. M. Thursday, to 2 P. M. Friday, ... the 2nd day of June, 1933.

I move the ... of the foregoing resolution, ... May, 1933.

John E. Sumberger
COUNCILMAN

The claim of ... Sternberg & Company, ... $3.36 plus interest for water bill ... on motion of Councilman Rainey, seconded by Councilman ..., ... the Corporation.

May 18, 1933.

To the Council,
City of Asheville,
Asheville, N. C.

Sirs:

Herewith I present the following claim to ... Co., Inc. of this city against the City of Asheville.

From March 12, 1930, thru December 14, 1931, ... rendered monthly statement to S. Sternberg & Co. ... supposed to have used thru its ... regularly paid by the Sternberg Co. On December 14, 1931, the S. Sternberg Co. ... that wrongfully and without any knowledge on its ... from March 1930 thru December, 1931, ... Company, which company ... as that occupied ... previously for water ... that the Sternberg Co. ... which you billed the ... any knowledge on the ... S. Sternberg & Co., Inc.

Therefore, ... herewith ... pursued to the City of ... Co., Inc. paid to the ... wrongfully charged to ...

ASK/eo

Alvin ...

The request of the ... Veterans of Foreign Wars ... May 20th assigned to the Veterans of Foreign Wars for ...

A motion made by Councilman Rainey, seconded ... Council ratify the date of May 20th to the American Legion ... Veterans of Foreign Wars for the sale of poppies on the streets, was unanimously carried.



May 18, 1933

...indebtedness ...
...Councilman Brook ..., seconded by ...
...committee compos... of the Corporation Co...
...join in the conf...ces. This ...
...Council ...th ...t meeting.

...City for about t... ..., the followin...
...to arrive at:

...petition, ... following the lines and actio...
...ll ... that it is ...ecessary ... some ad...
...in amount ... life of ... plans ...
...carry on.

...several provinces, and ...
...still ... the ...
...which comprise it. ...efore, it ...
...financially, to assist the financia...
...so, we have ...oped to overcome ...
...tion. ... how to assis...
follows:

... Treasury ... to be sold to individuals ... banks ... ...
... ..., on an ... rate of one ... one-half per ...
... ... funds to ... cities, under the pro... ...
... cities, in turn, lend this money to the cities and ...
... ..., thereby giving the States a profit of one half ...
..., to ... which is a unit of the Federal Government. ...
... cities ... their position fifty per cent with ...
..., ... States guarantee into the Federal ...
... will be repaid.

..., the City of Asheville, with ... an approximate total ...
... present cost and debt ... interest. That ...
... position, is this: Just if the cities and counties, by being ...
... able to ... total bonded indebtedness off at fifty cents ...
... possible for the bond-holders to secure cash for their bonds ...
..., and in turn, they can go into the bond market ...
... fifty cents on the ... Therefore, the ...
... of the total amount of bonds sold against certain ...
... only cost to ..., ...

... This money will come from. It ...
... stated above, which drew one and ...
... ... to some time in January, 1933, the ...
... three-fourths of one per cent, and they were ...
... ... will be no question of the Government's ...
... one-half per cent interest rate.

... ... cent fifty per cent on their bonds?

... City or County, or the bond-holders; it is ...
... bond-holders can get fifty per cent on their holdin... ...
... investment for much less, on the open market; th... ...
... possible for the cities and counties to be able to se... ...
... will take the lesser ... for other ... and bonds ...
... financial structure of the Federal Government, ...
... discussion. As you see, the bond-holders will take fifty cents on the ...
... cents, or take their chances on collecting one ...
... get it.

... in ... amount of $14,000,000.00, at an interest ...
... 1,[illegible],000.00 per year, and under the present proposed Fed... ...
... 933. ... be at the rate of two per cent, and ...
... original rate of 4.8, as compared with the interest rate of ...
... outlined above, which would be $240,000.00; and ...
... Asheville, of $936,000.00, in interest.

... our Senator and Congressman immediately ...
... legislation passed in Washington, to put this, or ...
...ce.

Respectfully submitted,
Plott Boyd.



...Councilman ... C...

Mayor

The City Co...
Councilman L. C. ...
Little, F. ... Mill...
and Aerial ... ...
approved.

The ... of Ample... ...
Service, ... ... ...
agent, effective June ..., 19...

A communi... ... ...
commi... ... ...

Councilman ...
the Mayor ... ...

...
...
...

J. . . Jor . . .
. . . Hilliard
. . . Co. J. C. . . . , Claimant.

✓

✓

✓

✓

ollows:

✓

✓

✓

Councilman Avery
. . . carried unanimously.

✓

, seconded by Councilman Quinn that the
carried by the City of Asheville and
this motion
report to the Council.



(over)

THEREUPON,

Reed, Attorney for the Property Owners, filed a petition
requesting that the City Council of the City of Asheville, North Carolina,
consider the advisability of paving and improving Cumberland Avenue from
the northern line of Montford Avenue to the southern line of Edgemont
Road, and the installation of sanitary sewers in said street, and
requesting that the cost of said improvements be assessed against the
property abutting thereon, and that the City Council of the City of
Asheville, North Carolina, declare its intention to make said improvements
and to assess the cost thereof against the property abutting thereon, and
to order a preliminary assessment roll to be prepared, and to fix a time
and place for a hearing on said petition, and to direct the publication
of notice of said hearing, all as provided by law; and

WHEREAS, the City Council of the City of Asheville, North Carolina,
is of opinion that said petition should be granted; Now, Therefore,

BE IT RESOLVED by the City Council of the City of Asheville, North
Carolina, as follows:

1. That the City Council of the City of Asheville, North Carolina,
does hereby declare its intention to make the improvements requested in
the petition hereinabove referred to, and to assess the cost thereof
against the property abutting thereon, and to order a preliminary
assessment roll to be prepared, and to fix a time and place for a hearing
on this resolution and on said petition.

2. That the City Engineer of the City of Asheville, North Carolina,
is hereby directed to prepare and present to the City Council of the City
of Asheville, North Carolina, a preliminary assessment roll in accordance
with this resolution and/or petition hereinabove referred to, and to
perform such other duties as may be required of him in connection with
said improvements; and the City Clerk is hereby directed to present said
petition to the City Council of the City of Asheville, North Carolina,
and to publish a notice of the hearing on said petition and on this
resolution, all as required by law.

I move the adoption of the foregoing resolution.

Councilman Quinn, seconded by Councilman Avery, the foregoing
resolution was unanimously adopted.

APPROVED AS TO FORM:

C. L. Blackwood
CORPORATION COUNSEL.

Office of City Smoke Inspector be established by Councilman Avery [illegible] Finance

under consider

Councilmen Miller, Crow, t

citizens

Councilmen Crow, t

Miller, Little, Miller, Re

Councilman Miller, seconded by Councilman Crow that a committee

Councilmen Beck, Little a

Councilman Crow, seconded by Councilman Beck, that the

Police Court Judge

Committee

Committee, which

Councilman

Councilmen Beck, Little and

Board of Commissioners, requesting

Council in regard to paying the

County of 60% on the City

rendering a bill to the City for the

appropriation approved by

Councilman Beck, that the

from

This motion carried.

worked out for the execution

on the back taxes had been paid. Action

Councilman Avery, that this

by Councilman Avery and unanimously carried.

, the meeting recessed until 11 o'clock A."

Mayor

City Clerk



City Council

J. A.

C.

petition

Mr. Jordan,

Clinton

Councilmen Hill,

Clinton

Councilmen Hill,

Connor

Councilmen Boyd, Chairman,

Councilmen

Councilmen

The Committee on Public Health and Charities, composed of Councilmen

meeting in the Council Chamber on Friday

Councilman Little, Chairman of the Judiciary

Council Chamber

noon

Councilmen

meeting recess until 11o'clock,

Mayor

Councilman Crow stated that the Council should take some action on the request of H. Grady Reagan, Chairman of the County Commissioners, that the City authorize reimbursement to the County of the city's share of the expenses of the Board of Financial Control, amounting to about $3,300.00.

It as moved by Councilman Miller, seconded by Councilman Baumberger, that the City reimburse the County for the city's share of the funds expended for operating expenses by the Board of Financial Control.

There being no further business, the meeting on motion adjourned.

Mayor Wickes Wamboldt City Clerk E. G. Brannon

Thursday, June 1, 1933 - 4:30 P. M.

The City Council met in regular session; Mayor Wamboldt presiding. Present: Councilmen A. C. Avery, J. E. Baumberger, Plott Boyd, H. G. Brookshire, Charles F. Crow, Joseph W. Little, E. H. Miller and Wickes Wamboldt. The minutes of the previous meeting were read and approved.

COMMENDATION.

A motion was made by Councilman Crow, seconded by Councilman Miller, voted on and carried, that the Council express their appreciation of the communication from the West Asheville Men's Club congratulating the Council upon the progress made and offering their services whenever needed.

WATER DISTRICTS.

Mr. Clinton Hughes, on behalf of the Swannanoa Water District, requested permission to tap the 16 inch water main to North Fork with a 3/4 inch pipe to accommodate three houses in Grovemont.

Councilman Boyd moved, seconded by Councilman Baumberger, that no action be taken on this request until a general policy is arrived at with the trustees of the water districts in regard to the city selling water to the various water districts. This motion carried.

CHILDREN'S WELFARE.

Judge J. Frazier Glenn, in behalf of the Children's Welfare Council, requested the Council to empower the Mayor to declare a "Playground Day" in order that funds may be raised to furnish playground for children during vacation, the playgrounds to be under the supervision of Dr. Parker.

Councilman Miller moved, seconded by Councilman Avery, voted on and carried, that the Mayor be empowered to declare a day as "Playground Day", the date to be set by the Children's Welfare Council.

TAXES.

Mr. George Pennell representing the trustees of the Hill Street Missionary Baptish Church, colored, petitioned the City Council to cancel assessments levied against lots 244, 245 and 245, sheet 15, ward 3, Hill St., in accordance with a recently enacted state bill.

Moved by Councilman Baumberger, seconded by Councilman Little, that the matter be referred to the Corporation Counsel and the City Manager. This motion carried unanimously.

CENTRAL LABOR UNION.

The petition from the Central Labor Union asking the Police Department to enforce the law regulating hours of work for women was presented, and on motion of Councilman Crow, seconded by Councilman Baumberger, unanimously ordered referred to the Corporation Counsel and the City Manager.

PARK COMMITTEE REPORT.

The Park Committee made the following report:

As the Council Park Committee, we wish to submit our report on activities to date:

The Committee recommends that the Council approve contract with the Bob Harris Orchestra to furnish dance music each Tuesday, Thursday and Saturday nights, and a one and one-half hour concert at one of the city parks on Sunday afternoon.

The Committee recommends approval of contract for skating rink concession with W. C. Drob.

The Committee recommends that the City operate concessions at Aston Park instead of leasing same for the season.

Respectfully submitted:

E. H. Miller
H. G. Brookshire
Plott Boyd
Joseph W. Littel COMMITTEE

June 1, 1933.

I move the adoption of the report by Councilman Crow, seconded by Councilman Avery, voted on and carried, that the report of the Park Committee be adopted.

Mr. Davis requested that the Council decide whether or not they desired to take any part in the Rhododendron Festival to the extent of float and decorating the city hall and the market house. On being informed that ano appropriation was made in the budget for this expenditure, Councilman Crow moved, seconded by Councilman Baumberger, that the City not participate by furnishing float or decorating buildings. This motion carried unanimously.

A communication was presented from D. J. Weaver in regard to replacing wooden shingles on house on Victoria Road recently damaged by fire, in which he stated thatCity Engineer has advised the ordinance requiring fire-proof composition shingle roofs must be complied with.

Councilman Avery moved, seconded by Councilman Litte, that the matter be referred to the Corporation Counsel for report. Motion carried.

A letter was read from DeVere C. Lentz in regard to the State taking over and maintaining any street in the city through which highways run, and recommended that a committee be appointed to communicate with the State Highway Commission to ascertain whether the State will take over the streets.

Councilman Miller moved, seconded by Councilman Avery, thatthe Mayor and Corporation Counsel look into this matter. This motion carried.

On motion of Councilman Crow, seconded by Councilman Avery, A Resolution authorizing the issuance of tax anticipation notes of the City of Asheville in the sum of not exceeding twenty-five thousand dollars was adopted. Voting "aye" for the adoption of the resolution, Councilmen Avery, Boyd, Brookshire, Crow, Little, Miller and Wambolut, voting "no" Councilman Baumberger.

RESOLUTION AUTHORIZING THE ISSUANCE OF TAX ANTICIPATION NOTES OF THE CITY OF ASHEVILLE IN THE SUM OF NOT EXCEEDING TWENTY-FIVE THOUSAND DOLLARS.

WHEREAS, tax payments to the City of Asheville have been greatly reduced in amount during recent months; and,

WHEREAS, it now appears that insufficient tax revenues will be available with which to meet the payrolls of the City of Asheville during the next thirty days; and,

WHEREAS, it appears that the Board of Financial Control of Buncombe County now has on hand certain funds derived from the liquidation of bank collateral to be allocated to the County of Buncombe and City of Asheville, and from that portion to be allocated to the City of Asheville certain sums may be borrowed.

THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITYOF ASHEVILLE:

1. That the Director of Finance, and other proper officials of the City of Asheville, be and they are hereby authorized and empowered to issue and sell tax anticipation notes of the City of Asheville, in such manner as is prescribed by statute, in an amount not exceeding twenty-five thousand ($25,000) dollars; and that the funds to be derived from the sale of such tax anticipation notes be used by the City of Asheville in the payment of salaries of its employees, and provision for the collection of taxes and retirement of said notes be made in all respects as now provided by law.

2. That the Local Government Commission of North Carolina and the Board of Financial Control of Buncombe County be and they are each hereby requested to sell and approve the issuance and sale of tax anticipation notes as hereinbefore provided, in the sum of not exceeding twenty-five thousand ($25,000) dollars, and for the purposes herein expressed; and that a copy of this resolution be sent to the Local Government Commission, Raleigh, North Carolina, and thatanother copy thereof be sent to the Board of Financial Control of Buncombe County, N. C.



June 1, 1933

I move the adoption of the foregoing resolution.

C. A. Crow
COUNCILMAN

SECONDED BY: A. C. Avery
COUNCILMAN

Read, approved, and ordered, this the 1st day of June, 1933, to be effective according to statute on the 1st day of July, 1933.

MAYOR

ATTEST:

C. E. Blackstock
CORPORATION COUNSEL.

Mr. Wm. P. McGervey, representing George M. Jones, owner of City of Asheville bonds, stated his client has not received thepro rata share of interest on the Sinking Fund, and that the City authorize the First National Bank & Trust Company, custodian of funds, to pay the coupons held by his client.

It was moved by Councilman Avery, seconded by Councilman Miller, that Mr. Blackstock accompany Mr.McGervey to the Bank and see that the past due coupons.

It was moved by Councilman Little, seconded by Councilman Avery, that Mr. McMahan act as substitute judge during the absence of Judge Sam Cathey.

ZION TEMPLE-

On motion of Councilman Little, seconded by Councilman Avery, the request of Zion Temple that he be allowed to preach on the streets of the city for a few days was unanimously granted.

Councilman Little moved, seconded by Councilman Avery, that the meeting adjourn until Monday, June 5th, at 10:30 A. M.

Mayor

Monday, June 5, 1933 10:30 A. M.

The City Council met in recess meeting; Mayor Wood presiding. Present: Councilmen A. C. Avery, J. E. Baumberger, Plott Boyd, H. G. Brookshire, Chas. F. Crow, Joseph W. Little, E. H. Miller and Wickes Wambolt, Jr. C. E. Blackstock.

CHAS. S. DOWELL-SUBSTITUTE

On motion of Councilman Miller, seconded by Councilman Little, Chas. S. Dowell was unanimously elected Substitute Police Court Judge.

CHIEF STANTON-SUBSTITUTE

On motion ofCouncilman Avery, seconded by Councilman Miller, Chief Stanton was unanimously elected Substitute City Solicitor.

Mr. Davis reported the Chamber of Commerce had invited the Mayor, the Councilmen and the City Manager to ride in decorated cars in the floral parade on June 14,

Councilman Little moved, seconded by Councilman Boyd, that the Council furnish decorated cars and participate in the parade. This motion was amended by Councilman Baumberger that the expense to the City for decorating the cars not exceed $50.00 This motion carried.

Councilmen Brookshire and Little explained they were voting "aye" with the understanding that the action of the Council is legal in respect to the expenditure.

There being no further business, the meeting, on motion, adjourned.

Mayor

E. G. Thompson
City Clerk

Thursday, June 8, 1933- 4:30 P. M.

The City Council met in regular session; Mayor Wamboldt presiding. Present: Councilmen A. C. Avery, J. E. Baumberger, Plott Boyd, H. G. Brookshire, Chas. F. Crow, Joseph A. Little, E. H. Miller and Wickes Wamboldt, Corporation Counsel C. E. Blackstock and City Manager H. F. Davis. The minutes of the previous meeting were read and approved.

Vice-Mayor A. C. Avery administered the oaths of office the James S. Howell, Substitute Judge of the Police Court and the Oscar Stanton, Substitute Solicitor of the Police Court.

A communication from the Local Government Commission approving the issuance of $25,000 City of Asheville Revenue Anticipation Notes was presented to the Council.

June 6, 1933

Mr. E. G. Thompson, City Clerk
Asheville, N. C.

IN RE: $25,000.00 City of Asheville, N. C., Revenue Anticipation Notes.

Dear Sir:

We have your letter of June 2nd, enclosing copy of the proceedings adopted by the City Council authorizing the sale of the above notes. This matter was presented to the Executive Committee of the Local Government Commission at their regular meeting today and same was ordered approved.

I am enclosing herewith an application blank for approval of Revenue Anticipation Notes which you will please fill in and forward same to this office, specifying therein the amount that the City desired to sell.

When this information is received, we shall forward you a notice of sale of the notes to be published in your local newspaper.

Yours very truly

HLJ/U
Encl.

H. L. Johnson Assistant.

Application blank referred to sent, a copy of same in filed in Clerk's office.

Resolution granting request of the City Council of the City of Asheville to issuance of tax anticipation notes for the City of Asheville in the sum of $25,000.00 adopted at a special meeting of the Board of Financial Control was presented.

RESOLUTION GRANTING REQUEST OF THE CITY COUNCIL OF THE CITY OF ASHEVILLE TO THE ISSUANCE OF TAX ANTICIPATION NOTES FOR THE CITY OF ASHEVILLE IN THE SUM OF $25,000.00

WHEREAS, The Board of Financial Control at a special meeting, duly and regularly called has held a public hearing on the request of the City Council of the City of Asheville for the consent of the Board of Financial Control to an issue notes in anticipation of revenue in a maximum amount of Twenty-Five Thousand Dollars, ($25,000.00) as set out in a resolution of said City Council of the City of Asheville, received by the



Board of Financial Control on June [illegible], 1933, [illegible] having been given by advertisement in the Asheville [illegible], Buncombe County having the largest or [illegible] notice having appeared in all [illegible] as provided by the act creating the [illegible] powers and duties, and

WHEREAS, The Board of Financial Control [illegible] request of the City Council of the City of Asheville [illegible] such action will be for the best interest of the citizens [illegible] Buncombe County:

NOW, THEREFORE, BE IT RESOLVED, By the Board of Financial Control [illegible] that said request of the City Council of the City of Asheville [illegible] be, andthe same is hereby granted, and the Board of Financial Control [illegible] approve the purpose and maximum amount of said proposed note [illegible] in the Resolution of the City Council of the City of Asheville [illegible] referred to.

Copy:
City of Asheville
Files
Raleigh
6/5/33

STATE OF NORTH CAROLINA)
COUNTY OF BUNCOMBE )

I, W. T. Penland, Secretary of the Board of Financial Control of Buncombe County, do hereby certify that the foregoing is a true and correct copy of a certain Resolution passed by said Board [illegible] held at 11:00 A. M., on the 5th day of June, 1933, [illegible] members of the Board were present and voted unanimously for the adoption of said Resolution.

June 5, 1933. W. T. Penland, Secretary
Board of Financial Control

On motion of Councilman Chas. F.Crow, seconded by Councilman A. C. Avery, Resolution setting forth the form of tax anticipation [illegible] providing for execution and sale thereof. was adopted. [illegible] resolution, Councilmen Avery, Boyd, Brookshire, Crow, [illegible] "no" Councilman Baumberger.

RESOLUTION

RESOLUTION SETTING FORTH THE FORM OF TAX ANTICIPATION [illegible] AUTHORIZING THE PROVISIONS FOR EXECUTION AND SALE [illegible].

WHEREAS, the City Council of the City of Asheville passed a resolution on the first day of June, 1933, effective June 1, 1933, authorizing the issuance and sale of tax anticipation notes in the amount of $25,000.00, requesting the approval thereof by the Board of Financial Control of Buncombe County, and the Local Government Commission of North Carolina; and,

WHEREAS, such tax anticipation notes in the amount of $25,000.00 by the Board of Financial Control of Buncombe County and the Local Government Commission of North Carolina; and,

WHEREAS, it appears that the Board of Financial Control of Buncombe County has, since the adoption of the aforesaid resolution, [illegible] interest to be paid, and is uncertain as to the amount of full taxes [illegible] can be advanced to the City of Asheville, or, if so, the uncertain [illegible] times that the different portions may be advanced.

THEREFORE, BE IT RESOLVED [illegible]

1. That the Mayor and City Clerk be instructed [illegible] anticipation notes dated as of June 15, 1933, in the principal amount not exceeding twenty-five thousand ($25,000.00) dollars, at a rate of interest of four (4%) percent to be paid from the date of delivery of said notes, payable [illegible] maturity, such notes to mature one [illegible] and such notes to be in denominations of [illegible].

2. That the said notes shall be paid out of moneys to arise from the collection of collateral belonging to the City of Asheville now being liquidated by the liquidation department of the Board of Financial Control of Buncombe County and from uncollected taxes of the fiscal year 1932-33, said taxes to be included in the budget of 1933-34; and that all other provisions in the preparation and delivery of said notes required by Section 20, Public Laws of 1931, Chapter 253, Public-Local Laws of 1931, and the other statutes of North Carolina governing the issuance and sale of tax anticipation notes by municipalities.

I move the adoption of the foregoing resolution.

Chas. F. Crow
COUNCILMAN

SECONDED BY: A. C. Avery
COUNCILMAN

An invitation from Mr. Lee Edwards, Principal of the High School, to the City Council to attend the Commencement Exercises of the Senior Class, Friday Evening, was extended and upon motion of Councilman Little, seconded by Councilman Baumberger, that as many members as can attend and Mr. Edwards be notified.

A communication from the Central Labor Union submitting several requests was received upon motion of Councilman Miller, seconded by Councilman Crow that the letter be referred for information and for further study of the Council was unanimously carried, and the Clerk instructed to thank the Central Labor Union for the communication.

Councilman Little moved, seconded by Councilman Baumberger, that Mr. Ed. Wilson be appointed a member of the Civil Service Commission.

Mayor Hemphill turned the chair over to Vice Mayor Avery and made an amendment to the motion, which was seconded by Councilman Brookshire, that action on the appointment of members of the Civil Service Commission be deferred until a permanent city manager is appointed.

Vice Mayor Avery called for a vote: voting "aye" for the amendment motion, Councilmen Boyd, Brookshire, Crow, Miller and Wamboldt. Voting "no" Councilmen Little, Avery and Baumberger. The motion carried.

Councilman Crow and Miller exploing their vote, said they favored Mr. Wilson, but did not see the necessity of an appointment at this meeting.

Councilman Baumberger moved, seconded by Councilman Avery, that the Revenue Ordinance for the fiscal years beginning June 1, 1933 and ending May 31, 1935, be passed on its first reading.

A substitute motion made by Councilman Brookshire, seconded by Councilman Boyd, that action on the Revenue Ordinance be deferred until next regular meeting on being put to a vote carried.

Councilman Little filed copy of the Revenue Ordinance as presented, with the Clerk.

On motion of Councilman Boyd, seconded by Councilman Baumberger, voted on and carried, the request of Mr. Jno. H. Cathey, representing seven dairymen of the Dairymen's Association of Henderson County selling milk in the City of Asheville, that the $6.00 a month for inspection of dairies outside the county include the charge for tuberculin tests or that the inspection charge be reduced to $3.00 a month was ordered referred to the Health Officer, Corporation Counsel and City Manager for report next meeting.

Mr. W. G. Dean filed application for permits to operate seven taxis between Asheville and West Asheville.

Councilman Little reported for Councilman Rainey, Chairman of the City Manager Committee, that it was ready to recommend names for the City Manager and desired to have the meeting recess until Saturday Night at 8 o'clock.

Councilman Brookshire offered a substitute motion that the Council adjourn and meet as a committee of the whole Saturday night at 8 o'clock to discuss the selection of a city manager. This motion was seconded by Councilman Miller and on being put to a vote carried.

Mr. C. E. Blackstock, Corporation Counsel, reported on the request of D. J. Weaver concerning damage by fire to roof of house at 193 Victoria Road.

June 8, 1933

To the Hon. Mayor and City Councilmen of the
City of Asheville, North Carolina

Gentlemen:

IN RE: Request of D. J. Weaver Concerning Damage by Fire to Roof of House at 194 Victoria Road

It appears that the city commissioners passed an ordinance now known as Section 73 of Pennell's Code, providing for the replacement of all roofs of houses covered with wood shingles by inflammable materials, same to become effective July 20, 1927. In 1a7 this ordinance was amended so as to extend the time for one more year. On July 18, 182, the ordinance was again amended so as to extend the time to July 20, 1928. This ordinance is not effective, but may, of course, be changed by the City Council.



Section 71 of Pennell's Code provides [illegible] to a roof by fire, and the damage [illegible] may be repaired; but if the damage exceeds [illegible] replaced with inflammable material. In my investigation [illegible] I have a letter from Mr. Duckett, Chief [illegible]

"The garage to the house [illegible] the extent of twenty percent."

The difficulty of the whole situation [illegible] under an ordinance, Section 73, which provides [illegible] structed of wood shingles, and for their replacement [illegible] in Section 69 and 70 of Pennell's Code.

Respectfully submitted,
C. E. Blackstock
Corporation Counsel

CEB:sb

A motion by Councilman Baumberger, seconded by Councilman [illegible] provided for the replacement of all roofs of houses covered with [illegible] materials be extended two years from date, carried unanimously.

Mr. Davis reported that should the City Council decide to [illegible] parade and decorate buildings for the Rhododendron Festival the Chamber of Commerce [illegible] to have the expense charged against the unexpended appropriation of the Chamber of Commerce.

It was moved by Councilman Baumberger, seconded by Councilman [illegible] matter be tabled. This motion carried unanimously.

There being no further business, the meeting, on motion, [illegible]

Mayor [signature] City Clerk

Thursday, June [illegible]

The City Council met in regular [illegible] Councilmen A. C. Avery, J. E. Baumberger, Plott Boyd, Joseph V. Little, E. H. Miller, Wicks Wamboldt, [illegible] and City Manager H. E. Davis. The minutes of the previous [illegible]

The following membership of the Library Board was elected:

George H. Wright
Miss Annie Pentall
Victor Starwood.

Nominations for the Planning Board [illegible] elected as follows:

Mrs. P. G. Johnson
Henry Sharp
Wythe Peyton

Mr. Jno. H. Cathey requested [illegible] authorizing the acceptance of bonds for [illegible] case to provice for the acceptance of [illegible]

Councilman Miller moved, seconded [illegible] amended by adding the words "and/or not [illegible] the following motion made, by Councilman Little, [illegible] Corporation Counsel be instructed to draw a resolution to be submitted [illegible] City authority to accept due [illegible] of the City [illegible] of assessments. This motion carried unanimously.

The report of the committee composed of C. E. Blackstock, H. E. Davis and D. E. Sevier, relative to investigation on fees charged Henderson County Dairymen was read. In which the committee recommended that the fees remain as they now stand.

June 13, 1933

Hon. Mayor and Councilmen
City of Asheville, N. C.

Gentlemen:

In compliance with your request relative to investigation and report on fees charged Henderson County Dairymen, we desire to make the following report:

In making a thorough investigation we find that in 1927 the Cathey Administration passed Ordinance 70, which passed its final reading August 31, 1927, Minute Docket E, page 280, establishing a fee of twenty five ($25.00) dollars per month where milk is sold at retail and ten ($10.00) dollars per month where milk is sold at wholesale, to distributers placing same on the City market. This fee was for a more satisfactory inspection and for the purpose of helping defray the expense of the milk inspection.

In 1930 the Roberts Administration made a thorough investigation of the fees charged and found that the expense of inspection collecting samples, laboratory work and clerical work involved were such that they found it necessary to draft Ordinance 115, which was adopted March 19, 1930, Minute Docket 26, page 146, changing the inspection fee of wholesalers from ten ($10.00) dollars to six ($6.00) dollars, which was declared a minimum fee for this service.

Therefore, your committee recommends that the fees remain as they now stand.

Respectfully submitted,
C. E. Blackstock
H. E. Davis
D. E. Sevier

It was moved by Councilman Brookshire, seconded by Councilman Avery, voted on and carried, that the report of the Committee be adopted.

It was moved by Councilman Little, seconded by Councilman Miller, that the report of the Corporation Counsel in regard to cancelling paving assessments now charged against churches of Asheville be deferred until next meeting. Motion carried unanimously.

A letter from Mr. Taylor Bledsoe, Attorney, in regard to revenue ordinance for [illegible] was read to the Council but no action taken.

On motion of Councilman Avery, seconded by Councilman Miller, a resolution authorizing the Library Board to make effort to secure donations toward the operation and maintenance of libraries was unanimously adopted.

RESOLUTION AUTHORIZING THE LIBRARY BOARD TO MAKE EFFORT TO SECURE DONATIONS TOWARD THE OPERATION AND MAINTENANCE OF LIBRARIES.

WHEREAS, it has become necessary to secure donations from private individuals to help maintain all libraries of the city of Asheville.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ASHEVILLE:

That the Library Board be authorized to make efforts to secure donations toward the operation and maintenance of the Libraries under the supervision of the Board during the fiscal year, beginning July 1, 1933.

I move the adoption of the foregoing resolution.

A. C. Avery
COUNCILMAN

Seconded by: E. H. Miller
COUNCILMAN

Read, approved, and adopted, this the 15th day of June, 1933.

Wickes Wamboldt
MAYOR

I. C. Thompson
CITY CLERK

APPROVED AS TO FORM:

C. E. Blackstock
CORPORATION COUNSEL.



It was moved by Councilman Miller, seconded by Councilman [illegible] that an ordinance extending the time within which [illegible] City of Asheville to June 15, 1935, be passed on its first reading. [illegible] of the ordinance on its first reading: Councilmen Avery, [illegible] Little, Miller and Wamboldt.

An ordinance providing for the sanitary conditions of [illegible] of bedding was read to the Council and on motion of Councilman [illegible] Baumberger it was ordered that action [illegible]

On motion of Councilman Crow, seconded by Councilman [illegible] including amendments recommended by the Committee, was passed on [illegible] the passage of the ordinance on its first reading: Councilmen Avery, [illegible] Crow, Little, Miller and Wamboldt.

Councilman Crow spoke of the high price of gasoline in Asheville as compared with prices in otherplaces, and suggested that an investigation be made. It was [illegible] Little, seconded by Councilman Miller, that a committee of three be appointed to make such investigation in this matter as circumstances may warrant. Motion carried.

The following committee were appointed: Councilmen Little, Crow and Avery.

The motion of Councilman Little, which was seconded by Councilman Miller, that Council express its appreciation for the splendid work done by the Chamber of Commerce Committee to make the Rhododendron Festival a success, carried unanimously.

There being no further business, the meeting, on motion, [illegible].

Mayor Wickes Wamboldt

City Clerk

Thursday, June 15, 1933 - 4:30 P. M.

The City Council met in regular session; Mayor Wamboldt presiding. Present: Councilmen A. C. Avery, J. E. Baumberger, Plott Boyd, H. G. Brookshire, Charles L. Crow, Joseph W. Little, E. H. Miller and Wickes Wamboldt, Corporation Counsel, C. E. Blackstock and City Manager, H. E. Davis.

The minutes of the previous meeting were read. Councilman Baumberger stated in voting for Mr. George H. Wright as member of the Library Board, Councilman Boyd voted "no".

On motion of Councilman H. G. Brookshire, seconded by Councilman E. H. Miller, A resolution authorizing the Mayor as the chief executive of the City to enroll as a member of the United States Conference of Mayors in order that all [illegible] Conference may be made available to the City of Asheville [illegible] adoption of the resolution: Councilmen Avery, Boyd, Brookshire, Crow, Little, Miller and Wamboldt, voting "no" Councilman Baumberger.

RESOLUTION

BE IT RESOLVED by the City Council of the City of Asheville, that the Mayor, as the chief executive of the city, be enrolled as a member of the United States Conference of Mayors in order that all [illegible] Conference may be made available to the City of Asheville, that the [illegible] common problems with other large municipalities [illegible] be effectively carried on.

AND BE IT FURTHER RESOLVED that the Director of Finance be instructed to draw a warrant for $25.00 in favor of the United States Conference of Mayors, as for the annual service fees.

[illegible] adoption of the foregoing resolution, this the 22nd day of [illegible], 1933.

H. G. Brookshire
Councilman

[illegible] by: E. H. Miller
Councilman

[illegible], approved and [illegible], this the 22nd day of June, 1933.

Wilkes Wamboldt
Mayor

E. G. Thompson
City Clerk

[illegible] by the Court:

J. L. Blackstock
Corporation Counsel

Councilman Baumberger suggested that the City of Asheville take some action petitioning the Corporation Commission to request the telephone company to reduce telephone rates. He made a motion that the City petition the Corporation Commission for reduction of telephone rates. There was no second to this motion. Councilman Avery stated he was in favor of the purpose of the motion but suggested the question of telephone rates be [illegible] at a later date.

Councilman Little, Chairman of the Committee on Gasoline prices reported that [illegible] representatives of gasoline companies at the hearing held on Monday [illegible] would be held on Friday for further investigation.

Detailed financial statements for eleven months were filed with each member of the Council by Mr. Davis.

Mr. Davis reported the Board of Financial Control has requested the Council submit for their approval a temporary operating budget for the month of July 1933.

It was moved by Councilman Crow, seconded by Councilman Avery that the Board of Financial Control be requested to approve a temporary operating budget in the amount of $[illegible] for the month of July.

This motion on being put to a vote carried, voting "aye", Councilmen Avery, Baumberger, Brookshire, Crow, Little, Miller and Wamboldt, voting "no" Councilman Boyd.

A motion made by Councilman Boyd, seconded by Councilman Avery that action of [illegible] requesting the City to accept valid notes in payment of street assessments be [illegible], carried unanimously.

Councilman Avery moved, seconded by Councilman Crow, that a committee be appointed to confer with Corporation Counsel Blackstock to secure the services of Mr. J. S. Merrimon to assist Mr. Blackstock in the case of United States Fidelity and Guaranty Company vs. City of Asheville and arrange compensation to be paid Mr. Merrimon. Motion carried unanimously. The following committee was appointed: Councilmen Avery, Brookshire and Boyd.

On motion of Councilman Boyd, seconded by Councilman Baumberger, An Ordinance extending the time within which wood shingle roofs are prohibited within the City of Asheville to June 15, 1934 was passed on its second reading. Voting "aye" for the passage of the ordinance on its second reading: Councilmen Avery, Baumberger, Boyd, Brookshire, Crow, Little, Miller and Wamboldt.



[illegible]

On motion of Councilman [illegible], seconded by Councilman [illegible], the Mayor was [illegible] to execute [illegible] to the Haywood [illegible], [illegible] [illegible] [illegible]

...day, June 10, 19... 8:00 P. M.

...ion: ...for "Symbol" ...reeting. Present: ..., Planning ..., ... H. Brookshire, Councilmen ... Symbol, Commissioner Council, C. ... ... ... ...

... City Planning Commission, ...ace ... Peyton, Chairman ... ... ... by the Planning ... Council ... several ... of ... ... city, ... ... the ... program.

...ion ..., moved by Councilman ...iney, ... ... Corporation ... ...

... by Jackson Park, ...ouncil in ... ... ... ... ... by Councilman ..., ... ... ...

... Committee was presented to the Council by ...

## ...COMMITTEE

... Council on the ...th day of May, 1941, a City ... committee of ... ...iney, Chairman, ... committee ... by the ... ... ... ... ...

Edward ... brief in behalf of five school teachers that ... consideration until next meeting.

... Baumberger, seconded by Councilman Rainey, Ordinance ... time within which wood shingle roofs are prohibit... Ju... 15, 1935, was unanimously passed on its third and fina... section of the Ordinance, Councilmen Avery, Baumberger, ... and Wambolat.

... IN ... _, 193...

... WITHIN WHICH WOOD SHINGLE ROOFS ARE PROHIBITED ... TO JUNE 15, 1935.

... TLE TO ORDAIN:

...TION 1.

... From June 15, 1935, any and all roofs covered with ... inflammable materials shall be replaced with roof covering ... with ... specified in Section 69 and 70 of ...

...TION 2.

... shall not be construed to repeal Sections 68 and 71 ...

...TION 3.

... of Pennell's Code, and all subsequent and mandatory ordi... ... repealed.

...TION 4.

... effective from and after July 1, 1935.

... section ... the foregoing ordinance, this the 15th day of ...

... C. Miller
COUNCILMAN

... John F. Baumberger
COUNCILMAN

..., ... and adopted, this the 29th day of June, 1935.

Wickes Wambolat
MAYOR

... G. Thompson
CITY CLERK

..., ... eting, on motion, adjourned.

... E. G. Thompson
City Clerk

July 2, 1935

... The City Council ... in regular ... Councilmen A. C. Avery, John F. Baumberger, ... Joseph W. Little, E. H. Miller, ... C. E. Blackstock and ... City Manager, H. E. Davis. ... meeting were read and approved.

... A resolution from ... appreciation to Mayor Wambolat for his address of welcome was read.

... A communication was read from Mr. Fred L. Weede, Manager of the Chamber of Commerce, in regard to the City taking advantage of the provisions of the Industrial Recovery Act relating to the construction of public highways through municipalities. A motion made by Councilman Rainey, seconded by Councilman Little voted on and carried that a committee of three be appointed to confer with Mr. Walker, District Highway Engineer, in an endeavor to get governmental aid in the build... ... Asheville.

Mayor Wambolat appointed on this committee: Councilmen Boyd, Miller and Avery.

... NO 10 CONSIDERED ...

... A letter was read from Mr. C. C. Boone ... section in an endeavor to have Highway No 10, Asheville ... program to be carried out by the State Highway Commission under the Industrial Recovery Act, and on motion of Councilman Crow, seconded by Councilman Baumberger ordered referred to the Committee just appointed, Councilmen Boyd, Miller and Avery, to handle.

... HACKNEY-SALARY

It was moved by Councilman Miller, seconded by Councilman Avery, that the salary of Mr. George L. Hackney, City Manager, be $400.00 per month. ... and carried, all members of the Council voting "Aye" ... Councilman Brookshire.

...

Councilman Baumberg moved, seconded by Councilman Avery that a committee be appointed to escort Mr. Hackney to the Council Chamber.

Mayor Wambolat appointed the City Manager's Committee, and escorted Mr. Hackney to the Council Chamber where the oath of office was administered by Vice Mayor Avery.

...

Mrs. Whitefoord Smith and Dr. W. A. Parker appeared before the Council and made request that the City furnish water free to be used by the Playground centers to enable the opening of the playgrounds on tomorrow.

Councilman Baumberger moved, seconded by Councilman Miller that the matter be referred to the Corporation Counsel and the City Manager for a written report as to whether or not the City has legal authority to donate water. Voting "aye" Councilmen Brookshire, Baumberger, Boyd, Miller and Wambolat, voting "no" Councilmen Crow, Avery, Little and Rainey.

It was moved by Councilman Miller, seconded by Councilman Crow, ... carried that the City appropriate sufficient amount to pay for ... by the Playground centers until the Corporation Counsel makes ... to Council.

...

The request of Mr. Edward N. Wright in behalf of five school teachers that their pensions be kept in full force was on motion of Councilman Baumberger, seconded by Councilman Miller ordered referred to the Corporation Counsel. This motion carried.

...

A report of the Library Board showing the result of an examination of the physical properties and affairs of the Library was read and on motion of Councilman Miller, seconded by Councilman Baumberger unanimously ordered referred to the City Manager.

...

The request of Mr. D. J. Matheson for ... was referred to the City Manager.

...

On motion of Councilman Rainey, seconded by Councilman Baumberger the Corporation Counsel was asked to prepare an ordinance governing mufflers on motorcycles and trucks and establishing quiet zones for hospitals.

A report from the Corporation Counsel and the Acting City Manager in regard to establishment of Playground Centers was read and a motion of Councilman Baumberger, seconded by Councilman Rainey that the Council accept the report carried unanimously.

July 6, 1933

IN RE: Establishment of Playground Centers.

To the Honorable Mayor and Councilmen
of the City of Asheville.

Gentlemen:

At the last meeting of the City Council there was referred to the undersigned a request made by the City Planning Commission to have established playground centers at certain schools situated within the city.

We beg to report that the Council has no legal authority to use the public school buildings or grounds for any purposes, or to authorize other to use them for playgrounds or for any other purpose. We beg to report that the only question involved in the petition just mentioned, from the City Planning Commission to the City Council which is within the jurisdiction of the City Council is the question of the requested appropriation of $1,580.00 for the purpose of supervising the playground centers. This is a question solely for the City Council, and we are suggesting that the item be placed in the budget, to be accepted or rejected by the Council at the time of the adoption of the budget.

Very truly yours,
C. E. Blackstock
Corporation Counsel

H. E. Davis.

A request from the Planning Commission for engineering data with reference to improvement of highway projects in the city, with special reference to a viaduct from Woodfin Street to Haywood Street was read. No action taken.

On motion of Councilman Baumberger, seconded by Councilman Boyd, several amendments to the Revenue Ordinance, which were recommended by the Committee, were unanimously adopted.

On motion of Councilman Miller, seconded by Councilman Baumberger, Ordinance #190 entitled, An Ordinance levying, assessing, imposing, and defining the license and privilege taxes of the City of Asheville for the fiscal years beginning June 1, 1933 and ending May 31, 1935 was passed on its third and final reading. Voting "aye" for the passage of Ordinance #190 on its third and final reading: Councilmen Avery, Baumberger, Boyd, Brookshire, Crow, Little, Miller, Rainey and Wamboldt, the ordinance was adopted to become effective July 21, 1933.

ORDINANCE #190

AN ORDINANCE LEVYING, ASSESSING, IMPOSING, AND DEFINING THE LICENSE AND PRIVILEGE TAXES OF THE CITY OF ASHEVILLE FOR THE FISCAL YEARS BEGINNING JUNE 1, 1933 AND ENDING MAY 31, 1935.

THE CITY COUNCIL OF THE CITY OF ASHEVILLE DO ORDAIN:

Section 1.

That to raise funds for general municipal purposes, the following license taxes hereinafter specified are hereby levied for the privilege of carrying on the businesses, trades, professions, callings, occupations, or doing the act named, within the corporate limits of the city of Asheville, from the first day of June, 1933, to the thirty-first day of May, 1935, unless for some other time or period herein specified; and all such taxes shall be due and payable in advance at the office of the Director of Finance. The payment of any particular tax herein imposed shall not relieve the party paying same from liability for any other tax specifically imposed for any other business conducted by such person.

Section 2.

That all persons, before engaging in any business, trade, perofessions, calling, occupation, or doing any act on which a license tax is imposed by this ordinance, shall, except as hereinafter provided, apply for and procure in advance from the Director of Finance or someone desighated by him, for license, and upon the payment of the license tax herein imposed a license shall be issued to said applicant. Such license must be posted conspicuously in the place of business licensed, and if the licensee has no regular place of business, the license must be kept where it may be inspected at all times by the proper city officials. No license shall be transferable or assignable except by consent of the City Manager.



Section 3.

(a) That any person, firm, or corporation, desiring to engage in any business, trade, or vocation, or do anything hereinafter mentioned in this paragraph, may be required to appear in person before the Director of Finance for a license, stating the place at which it is proposed to conduct the business, the name of the owner of the business, or, if the owner be a firm, the names of all members of such firm, or, if the owner be a corporation, the names of the officers, including the manager. And the Director of Finance shall also have the right to require the owner, proprietor, manager, orother person interested in or connected with such business, to give evidence, upon oath, touching the manner in which such business has been or is to be conducted, as well as any other facts which the Director of Finance may deem necessary. This section shall apply to the following:

1. Owners and Drivers of For Hire Vehicles and Public Conveyances.
2. Keepers of Billiard, Pocket Billiard, or Bagatelle Tables.
3. Bowling Alleys, or Alleys of like kind.
4. Shooting Galleries.
5. Cane Boards, Jingle Boards, or Knife Racks.
6. Penny Arcades.
7. Merry-Go-Rounds, Ferris Wheels, Switchbacks, or Roller Coasters.
8. Any kind of table, stand, place,or game, kept in a house or room used or connected with a hotel or restaurant.
9. Carnivals, theatres, motion picture shows, vaudeville shows, dance halls, roof gardens, or menageries.
10. Phrenologists.
11. Lunch counters or restaurants.
12. Hotels, lodging houses or boarding houses.
13. Soft drinks.
14. Junk dealers.
15. Pressing Clubs.
16. Pawnbrokers.
17. Second-hand dealers.
18. Gasoline or oil filling pipes, service tanks, or pumps.

(b) A license may be refused for any business enumerated in the preceding subsection unless the City Manager shall be satisfied that the applicant, or the proposed manager, is a person of good moral character, and fit and proper person to conduct such business, andunless he shall also be satisfied that the place proposed is a suitable place for the conduct of such business.

(c) That billiard rooms, pool rooms, bowling alleys, bagatelle tables, or rooms where games or tables oflike kind are operated, and also restaurants, cafes, lunch counters, or places where soft drinks are sold, shall be kept clear of screens or sight obstructions of any kind.

Section 4.

That before license shall be issued for any of the following businesses, the applicant shall execute a satisfactory bond, payable to the City, in the amount hereinafter named, conditioned for the faithful observance by such licensee, his or its servants, agents, or employees, of all laws and ordinances now in force or hereinafter enacted, relating to such business, and further conditioned to save the City harmless from damage arising from the negligence of such licensee or agents, servants or employees thereof, and otherwise as the City Manager may determine:

1. Pawbrokers, $1,000.00,
2. Junk Dealers, $1,000.00,
3. Electrical Contractors, $1,000.00,
4. Electric Sign Contractors and Hangers, $500.00,
5. Plumbing Contractors, $1,000.00,
6. Sidewalk or Paving Contractors doing any work on sidewalks or streets costing not over $300.00- $100.00,
   Doing such work costing over $300.00, $1,000.00,
7. House Movers, $500.00,
8. Taxicabs, $500.00,

Section 5.

That whenever the word "person" is used in this ordinance, the same shall be construed to include "firms", "companies", "corporations", and "associations".

Section 6.

Where the amount to be paid for license depends upon the amount of gross sales or receipts, or other facts to be ascertained, it shall be the duty of persons applying for license to render to the Director of Finance a sworn statement of such gross sales or receipts during the preceding months, quarter, or year, as the case may be, and such other and further proof as the Director of Finance may require; or, if the amount of license to be paid is determined by other facts, then a sworn statement as to such facts, and such other and further proof as the Director of Finance may require, shall be rendered said Director of Finance: and in either case the Director of Finance shall not be required to receipt for the money or issue any license until satisfactory proofs are furnished. In case the business forwhich the license is required is commenced after June 1, 1933, and the tax on such business is based upon gross sales or receipts or facts to be ascertained, the license shall be assessed upon the probable gross sales or receipts during a term of one year; or if the amount of tax to be paid is determined by other facts to be ascertained, then a sworn statement as to such facts shall be made, and the license based thereon.

Provided, however, that the Director of Finance shall have the right at any time during the period covered by any license to require of such licensee additional sworn statement as to the sales and receipts or other determining facts of such business, and an additional license tax shall be paid in accordance therewith.

Section 7.

When any business is begun after June 1, 1933, the tax in such case may be reduced in proportion to the number of full quarters that have elapsed since June 1, 1933, unless otherwise provided in the section fixing the tax. Provided, however, that no license shall be issued for less than one ($1.00) dollar.

Section 8.

The adoption of this schedule of license tax shall not abridge the right of the City Council to change, alter, increase, or decrease, any or all of the license taxes herein levied, or to levy taxes on businesses, trades, or professions not hereby taxes, at any time. And when any increase is made, the license shall be revoked unless such increase tax be paid within thirty (30) days.

Section 9.

Should any section, paragraph, sentence, clause, or phrase, of this ordinance, be declared unconstitutional or invalid for any reason, the remainder of said ordinance shall not be affected thereby.

Section 10.

A separate license shall be required for each place of business, and every class of business for which a license tax is required by this ordinance.

Section 11.

Any license issued under this ordinance shall be subject to revocation or suspension for a definite or indefinite time by the City Manager, Without refund of any part of the tax paid, if the licensee or manager, or person in charge of the business, or employee, shall violate any ordinance or law relative to such business or be convicted of crime, or if, in the judgment of the City Manager, the licensed does, by reason of its nature or the manner or place in which it is conducted, constitute a nuisance or is a menace to good order or to public health, welfare, safety, or morals. And upon the revocation or suspension of any such license, it shall be unlawful for the person to whom such license was granted to continue to conduct such business. Any person, firm, or corporation, violating this provision shall pay a penalty of fifty ($50.00) dollars. Each day such business is conducted after revocation or suspension of license, shall constitute a separate offense.

Section 12.

It shall be the duty of the Director of Finance to see that the Solicitor of the Police Court is furnished with a list of all unpaid license taxes for the fiscal year of 1933-35 on or before September 1st, 1933, and it shall be the duty of the Solicitor of the Police Court to issue warrants for all delinquents, and to prosecute as vigorously as necessary and demand that the same be paid or inflict a penalty as provided in this ordinance.

Section 13.

That each owner of any vehicle, private or for hire, public dray, or other vehicle for which license is issued, shall display on such vehicle a metallic sign to be furnished by the City.

Section 14.

That upon satisfactory proof that any such metal sign or tag has been lost or destroyed, the Director of Finance shall furnish a duplicate upon payment of a fee of one ($1.00) dollar.

Section 15.

That every person who shall violate any provision of this ordinance, or carry on any business, trade or vocation, or profession, on which a license tax has been fixed, without having first paid the tax and received a license, shall be liable to a penalty of fifty ($50.00) dollars for each offense, and each day said business shall be carried on shall constitute a separate and distinct offense.

Section 16.

All license taxes imposed by this ordinance shall be due June 1 of each year for which the tax is levied, and shall become payable upon the date that this ordinance shall become effective, and the tax may be paid in quarterly installments, at the request of the tax payer; provided, however, that no initial quarterly payment shall be less than $100.00; and, provided, further, that in every instance not less than one-fourth of the total tax may be paid in any one installment. If any installment not be paid on or before the first day of the quarter upon which same shall become due than all unpaid installments shall immediately become due and payable, together with five (5%) percent penalty per month upon the entire unpaid balance. All license taxes imposed by this ordinance shall be due and payable in advance, and if any person shall fail to pay any license tax required by this ordinance by September 1, 1933, 5% per month of the amount of such license shall be added to the tax required, and no license shall be granted until the license tax, plus the five (5%) percentum per month thereon has been paid. The addition of the five (5%) percentum per monty on the amount of said license tax shall not exempt the delinquent from the penalties herein prescribed in case of delinquency.



Section 17.

LICENSE SCHEDULE

"A"

ABATTOIR, OR SLAUGHTER HOUSE, Per annum, $50.00.

ACCOUNTANTS. Exempt by State Statutes.

ADVERTISING- NOT SPECIALLY TAXED.
Every person, firm, or corporation, engaged in the business of soliciting or contracting for advertising, or engaged in the business of advertising, and not specifically classified and taxed by this article, where tax is not prohibited by State statutes, shall pay a license tax of, per annum, $15.00
PROVIDED, that this tax shall not apply to newspapers or periodicals published in the city.

ADVERTISING, OUTDOOR-BILLBOARDS.
Every person, firm, or corporation, which is engaged or engages in the business of outdoor advertising by means of signboards, poster boards, or printed bulletins, and any other outdoor advertising devices, erected upon grounds, walls, or roofs of buildings, shall pay a license tax of, per annum, $75.00.
(a) Every person, firm, or corporation, owning or maintaining signboards, poster boards, painted bulletins, printed advertisement bulletins, or other out-door advertisements of any nature, shall have imprinted on the same the name of such person, firm, or corporation in sufficient size to be plainly visible and permanently affixed thereto.
(b) Distribution in the city of Asheville, or sign tacking, advertising by tacking, pasting on poles, trees, buildings, fences, or other structures, except on licensed billboards, PROHIBITED.
(c) Advertising by use of brass bands or music, or by public announcements on the streets of the city, clowning, floats, etc.:
Per day $ 5.00
Per week, 25.00

ADVERTISING- DISTRIBUTORS OF SAMPLES, PRINTED ADVERTISEMENTS, AND CIRCULARS.
Every person, firm, or corporation, distributing samples, circulars, hand-bills, or other printed matter from house to house, anywhere within the corporate limits of the city of Asheville, shall pay a license tax of, per annum, $100.00
For one distribution, where the annual tax has not been paid, $10.00.
PROVIDED, that all distributions of hand bills, circulars, or other printed matter, shall be delivered to someone in each residence or business house, or shall be placed under the front door of each residence or business house, or between the front door of each residence or business house, or between the front door and the screen. Also, each person, firm, or corporation, distributing said circulars, hand bills, or otherprinted matter, shall have the name of such person, firm, or corporation, on each hand bill, circular, or other printed matter, in sufficient size to be plainly visible and permanently affixed thereto: and distribution of hand bills, circulars, or other printed matter, other than provided in this proviso; is hereby PROHIBITED.

ADVERTISING-PLACARDS.
Every person, firm, or corporation, in, or on, whose premises, building, or place of business, placards are placed for advertising purposes, and who make a charge therefor, shall pay a license tax of, per annum, $25.00.
PROVIDED, that every person engaged in the business of operating street cars, and placing or allowing to be placed within such cars placards for advertising purposes, and making a charge therefor, shall pay a license tax of, per annum, $250.00.

ADVERTISING BY USE OF PICTURE MACHINES.
Every person, firm, or corporation, operating a moving picture machine, and selling the use of the same for advertising purposes, shall pay an annual license tax as follows:
(a) in each place where the advertisement is run, having a seating capacity of less than three hundred (300) , $40.00.
(b) In each place where the advertisement is run, having a seating capacity of three hundred (300) and less than one thousand (1,000), $75.00.
(c) In each place where the advertisement is run, having a seating capacity of onethousand (1,000) or over, $100.00.

ADVERTISING BY WAGON OR VEHICLE DRIVEN THROUGH STREET WITH ADVERTISING SIGNS.
Per annum, $50.00
Per month, 25.00
Per day, 5.00
NOT PRORATED.
PROVIDED, that no tax shall be collected where persons advertising place signs on their own vehicles, or for advertisement of football or baseball games.
PROVIDED, further, that the provisions of this Section shall apply to all itinerants as defined herein who place advertisement signs on their vehicles.

AGENTS NOT SPECIFICALLY TAXED.
Every person engaged in business as an agent, having the agency for the manufacturer, producer, or distributor, and not specifically taxed by some other section of this License Schedule, shall pay a license tax of, per annum, $25.00.

AGRICULTURAL IMPLEMENTS AND MACHINERY.
Every person, firm or corporation, engaged in the business of selling agricultural implements or machinery, shall pay a license tax, per annum, as follows:
Where 75% of the businessis derived from the sale of such machinery, $50.00

AMUSEMENT DEVICES(Separate from a Carnival).
See "Riding Devices".

AMUSEMENT PARKS.
Every person, firm, or corporation, engaged in the business of operating a park open to the public as a place of amusement, in which there may be either a bowling alley, trained animal show, penny or nickel machine for exhibiting pictures, moving picture show, theatrical performance, or similar entertainment, shall pay for the privilege of conducting such amusement park, a license tax as follows:

| | |
|---|---|
| Municipal license for two (2) months or less, | $200.00 |
| Municipal license for four (4) months, | 400.00 |
| Municipal license for eight (8) months | 600.00 |
| Municipal license for twelve (12) months, | 800.00 |

PROVIDED, the payment of the tax shall not authorize the operation of a carnival, circus, or show of any kind that moves from place to place.

ANTIQUE FURNITURE OR ORIENTAL GOODS-DEALERS IN.
Per annum, $ 50.00
Itinerant, per annum $100.00.

ANTIQUE SHOPS.
Any person, firm, or corporation, selling or distributing what is commonly termed antiques, shall pay a license tax of, per annum, $25.00.

ARCADES, PENNY PARLORS, PEEP SHOWS.
Each, per annum, $200.00
NOT PRORATED.

ARCHITECTS.
Exempt by State Statutes.

ART GOODS, MANUFACTURERS OR DEALERS IN.
Resident retail dealers, $10.00
Itinerant, 100.00

ASPHALT OR ASPHALT SUPPLIES ONLY.
Dealers, sellers, or distributors in, each, per annum, $100.00.
PROVIDED, when building material tax is paid, no additional tax shall be collected under this section.

ATHLETIC SUPPLIES.
Every person, firm, or corporation, selling or distributing athletic supplies or equipment, shall pay a license tax, per annum, of $25.00.

ATTORNEYS. Exempt by State Statutes.

AUCTIONEERS.
(a) Every person, firm, or corporation, that conducts auction sales of anything other than real estate, shall pay an annual license tax of, as follows:

| | |
|---|---|
| Residents, each per year, | $ 10.00 |
| Itinerants, each per day, | 5.00 |
| Itinerants, each per week, | 10.00 |

(b) Every person, firm, or corporation, that conducts auction sales of real estate for profit, shall pay a license tax of:

| | |
|---|---|
| Residents, each per year | $ 50.00 |
| Itinerants, each per year, | 100.00 |
| Itinerants, each per day, | 50.00. |

NOT PRORATED.

AUTOMOBILE, MOTORCYCLE, AND MOTOR VEHICLE, DEALERS, AND SERVICE STATIONS.
(a) Automobile Service Stations: Every person, firm, or corporation, engaged in the business of servicing, storing, painting, or upholstering of motor vehicles, trailers, or semi-trailers, or engaged in the business of retailing, selling and/or delivering of any tires, tools, batteries, electrical equipment, automotive accessories or supplies, including radios designed for exclusive use in automobiles, motor fuel and/or lubricants, or any such commodities, shall pay for each location where such business is carried on, a license tax of, per annum, $12.50.
(b) Automobile Service Stations on Sidewalks or Streets: Every person, firm or corporation, engaged in the business of operating any gasoline or oil pump located on any street or sidewalk, whether such pump is used in connection with any other business or not, and whether such pump is regularly used for the sale of gasoline, or oil, or not, shall pay therefor an annual license tax of, per pump, $100.00.
PROVIDED, all such tanks must be installed under the direct supervision and according to the instruction of the Director of Public Works. A permit to install same must be obtained from the City Manager. The Council reserves the right, however, to prohibit the installation of such tanks on public property within the congested district of said municipality. This tax is for the right to use the sidewalk and is in addition to taxes levied by this ordinance on Automotive Service Stations.
(c) Automobile Equipment and Supply Dealers at Wholesale: Every person, firm or corporation, engaged in the business of buying, selling, distributing, exchanging and/or delivering automobile accessories, parts, tires, tools, batteries, and for other automobile equipment or supplies, or any of such commodities at wholesale, shall pay for each location where such business is carried on, a license tax for everh place of business of, per annum, $62.50.
PROVIDED, any person, firm, or corporation, engaged in the business enumerated in this section, and having no located place of business, but selling to retail dealers by use of someform of vehicle, shall pay for such license, on each vehicle in carrying on such business, a tax of, per annum, $25.00.



(d) Body or Top Builders: Every person engaged in the business of building bodies or tops for automobiles, busses, or trucks, including necessary cowls, shall pay therefor a license tax of, per annum, $12.50.
(e) Curtain Manufacturers: Every person, engaged in the business of manufacture of curtains for automobiles, busses, or trucks, and not building bodies or tops for such automobiles, busses, or trucks, shall pay therefor a license tax of, per annum, $12.50.
(f) Motorcycle Dealers: Every person engaged in the business of buying, selling, distributing, and/or exchanging motorcycles or motorcycle supplies, or any such commodities, shall pay thereofr a license tax of, per annum, $5.00.
(g) Motor Vehicle Dealers. Every person engaged in the business of buying, selling, distributing, servicing, storing, and/or exchanging motor vehicles, trailers, semi trailers, tires, tools, batteries, electrical equipment, lubricants, and/or automotive equipment and supplies, shall pay for each location at which such business is carried on, a license tax of, per annum, $50.00.
PROVIDED, that persons, firms, or corporations, dealing in second-hand or used motor behicles exclusively, shall be liable for only $25.00.
(h) Automobile Equipment, Used Parts: Every person, firm, or corporation, buying and selling second-hand, used parts for automobiles, or repairing automobiles, shall pay a license tax for each business of, per annum, $12.50.
(i) Automobile FinanceCompanies: Every person, firm, or corporation, engaged in the business of financing, refinancing, or lending money, funds, or credit upon the pledge of or repurchase of automobiles, or other motor vehicles, and receiving chattel mortgages, conditional of title, or any other form of security for such financing and refinancing, shall pay a license tax of, per annum, $100.00

AWNINGS AND TENTS.
Every person, firm, or corporation, operating any business or manufacturing, selling, installing, or erecting tents or awnings, shall pay a license tax of:
Per annum, $ 50.00
Itinerants, each 100.00
NOT PRORATED AS TO ITINERANTS.

"B"

BAGGAGE OR TRANSFER BUSINESS.
See "Drays".

BAKERY PRODUCTS, CAKES, CRACKERS, AND DOUGHNUTS.
(a) Every person, firm, or corporation, operating a bakery or preparing or manufacturing cakes, crackers, or doughnuts, shall, if selling at retail, pay a license tax of, per annum, $25.00.
(b) Selling bakery products, including breads, crackers, or cakes, and doughnuts, at wholesale, per annum, $125.00.
PROVIDED, that any person, firm, or corporation, selling and delivering bakery products, including cakes, crackers, or doughnuts, manufactured outside of the City shall pay for each vehicle used in deliveringsuch products within the City, a license tax of, per annum, $75.00.
PROVIDED, further, that this tax shall not apply to merchants selling bakery products, cakes, crackers, or doughnuts, in connection with a regular merchandising business; and, provided, further, that it shall be unlawful for any person, firm or corporation, selling delivering bakerny products, after the passage of this ordinance to sell or deliver any such products from a vehicle unless such vehicle shall have plainly and visibly painted on it the name of the person, firm, or corporation operating same, together with the name of the city where such bakery products are manufactured and to also procure from the Health Officer a "Bakery Delivery Permit", the number of which permit must be on such vehicle.
Doughnuts, retail sales only, per annum, $10.00.
Doughnuts, wholesale sales only, per annum, $15.00.
Bakery products, small pies at retail, not over five cents, per annum, $10.00
The foregoing shall not be collected from restaurants, on which restaurant tax has been paid.

BALLOONS, NOVELTIES, SOUVENIRS, CURIOS, FLAGS, ETC.
Every individual selling or offering for sale balloons, novelties, souvenirs, curios, flags, needles, sewing equipment, paring knives, cooking utensils, or other instrument, for the preparation of foods, or other classes of merchandise not specifically licensed or taxed herein, or ice cream, soft drinks, lunches, or fruits, shall pay a license tax of:

| | |
|---|---|
| Per day, | $ 7.50 |
| Per week, | 15.00 |
| Per month, | 50.00 |

PROVIDED, that such tax shall not apply to any merchant selling said articles as part of a regular merchandise business and paying the tax prescribed for merchants; and provided, that no person shall sell any food products under this section without first obtaining a written permit from the Health Officer.

BANKRUPT OR FIRE STOCK.
Every itinerant salesman or merchant who shall expose for sale, either on the street or in a house or store building rented temporarily for that purpose, any goods, wares, or merchandise, bankrupt stock, or fire stock, not being a regular merchant in thecity shall apply for in advance and procure a license for the privilege of transacting such business, and shall pay for such license a tax of, per annum, $100.00
NOT PRORATED.
PROVIDED, thatsuch tax shall not apply to any receiver or trustee conducting a bankrupt sale under order of court.

BANKS AND TRUST COMPANIES.
Every person, firm or corporation, engaged in the business ofoperating any general banking or trust business, and such other business as is ordinarily conducted in connection with banks and trust companies, shall pay a license tax as follows:
If its capital stock does not exceed $100,000.00, per annum, $50.00.
If its capital stock exceeds $100,000.00, but does not exceed $200,000.00, per annum $100.00.
If its capital stock exceeds $200,000.00, but does not exceed $300,000.00, per annum, $150.00.
If its capital stock exceeds $300,000.00, per annum, $300.00.

BANKS-MORRIS PLAN OR INDUSTRIAL.
(a) Every person, firm, orcorporation, engaged in the business of operating a Morris Plan or Industrial Bank, shall pay for the privilege of engaging in such business the following tax:
When the total resources, as of December 21, of theprevious year, are less than $250,000.00, $37.50.
$250,000.00 and less than $500,000.00, $75.00
$500,000.00 and less than $1,000,000.00 $112.50
$1,000,000.00 and less than $2,000,000.00 $150.00
$2,000,000.00 and less than $5,000,000.00 $225.00
$5,000,000.00 and over, $300.00.
(b) Every person, firm, or corporation, engaged in the business of soliciting loans or deposits for Morris Plan or other Industrial Banks, shall pay a license tax of, per annum, $25.00.
Any bank that shall begin business during the current tax year, the tax shall be calculated on the total resources at the beginning of the business.

BARBER COLLEGES.
Per annum, $25.00

BARBER SHOPS, BEAUTY SHOPS OR PARLORS.
Every person, firm, or corporation, engaged in the businessof conducting a barber shop, beauty shop or other parlor of like kind, shall pay the following tax:
For each barber chair maintained in barber shop, whether chair is in use or not, per annum, $2.00.
Foreach operator in beauty shop, parlor, or other shop of like kind in any office, hotel, or other place, per annum, $5.00.
Itinerant Massage Operator, per day $5.00.

BARBER OR BEAUTY SHOP SUPPLIES.
Every person, firm, or corporation, engaged in the sellingof barber or beauty shop supplies, shall pay a license taxof, per annum, $25.00.

BARREL, CRATE, OR BASKET FACTORIES.
Each, per annum, $25.00.

BATH HOUSES.
Every person, firm, or corporation, operating or maintaining a bath or massage establishment, shall pay a license taxof, per annum, $50.00.
Every person, firm or corporation, operating a bath house in conjunction therewith, per tub or shower, each, per annum, $5.00.

BEAUTY SHOPS OR PARLORS.
See "Barber Shops".

BED MANUFACTURERS.
Each, per annum, $25.00.

BEER AND OTHER BEVERAGES.
Regulated by city ordinance #188.

BICYCLES.
Each dealer or agent selling, supplying, repairing, or renting, per annum $12.50.

BILLBOARDS, ADVERTISING BY USE OF.
See "Advertising".

BILLIARDS AND POOL.
Every person, firm, corporation, association, club, or organization, by whatever name called, who shall rent, own, run, maintain, or operate, a table or tables on which billiards, pool, or snooker,is played, whether operated by slot or otherwise, shall pay, per annum, for the privilege of operating such billiard, pool, or snooker tables, a license tax for each table, as follows:

| | |
|---|---|
| Tables measuring not more than 2 ft. wide and 4 ft. long | $ 2.50 |
| Tables measuring not more than 2½ ft. wide and 5 ft. long, | 5.00 |
| Tables measuring not more than 3 ft. wide and 6 ft. long, | 7.50 |
| Tables measuring not more than 4 ft. wide and 8 ft. long, | 18.00 |
| Tables measuring 4½ ft. wide and 9 ft. long, and larger | 20.00 |

PROVIDED, that in the event there should be kept, maintained, and operated, a table or tables whose measurements either by width or length are in excess of any of the dimensions in the schedule above enumerated, then and in such event such table or tables so kept, maintained, and operated, shall pay a license tax at the rate of the next smaller size table above classified.

BINDERS OF BOOKS.

| | |
|---|---|
| Including job printing, each, per annum, | $ 30.00 |
| Not including job printing, each per annum, | 15.00 |

BIRDS
Every person, firm, or corporation, selling live birds, per annum, $10.00
PROVIDED, that when pet shop license tax has been paid, no bird license shall be collected.



BLOCKS, CEMENT.
See "Cement Blocks".

BLOWING MACHINES, LIFTING MACHINES, OR ANY EXHIBITION OR PERFORMANCE OF LIKE CHARACTER.
Each, per day, $50.00.

BLUEPRINT SHOPS.
Every person, firm, or corporation, making or selling ordistributing blueprints, each, per annum, $25.00.

BOARDING HOUSES.
See "Hotels and Boarding Houses".

BOATS AND BOAT SUPPLIES.
Every person, firm, or corporation, selling boats and/or boat supplies, and/or equipment for boats, shall pay a license tax of, per annum, $25.00.

BOND MAKERS.
(a) Every person, firm, or corporation, who justifies on any civil bond or makes a bond of any civil nature whatsoever for any other person, firm, or corporation, forprofit, shall pay a license tax of, per annum, $25.00.
(b) Every person, firm, or corporation, who justifies on any criminal bond or makes an appearance bond for a defendant in the Criminal Courts within the City of Asheville, and receives compensation therefor, shall pay a license tax of, per annum, $25.00.
PROVIDED, that in the event any person, firm, or corporation, engages in the business of justifying on or making both civil and criminal bonds for profit, then and in such event, such person, firm, or corporation, shall pay an annual tax of, $40.00.

BOOK AGENTS.

| | |
|---|---|
| Per annum | $ 25.00 |
| Per day, | 2.50 |

NOTPRORATED
Each agent shall always carry the license receipt issued and show the same when called to do so by anyone whom such agent calls on for the purpose ofmaking a sale or demonstration.

BOOK BINDERS.
See "Binders of Books".

BOOK STORES AND STATIONERS.
Every person, firm, or corporation, engaged in the business of selling books and stationery, where fifty (50%) percent or more of the business is derivedfrom the sale of books and stationery, shall pay a license tax of, per annum, $25.00.

BOOT BLACK STANDS.
Every person, firm or corporation, operating any shoe shine parlor or other place open to the public generally for the shining of shoes, shall pay a license tax thereon as follows:

| | |
|---|---|
| Where the stands, chairs, seats, boxes, or pairs of foot rests designed for the use of boot blacks in shining shoes, and kept in such parlors or places of business, whether regularly used or not, does not exceed two, | $2.00 |
| Where the number is more than two and less than six, | 6.00 |
| Where the number is six and less than ten, | 10.00 |
| Where the number is ten or more, | 15.00. |

BOTTLING WORKS.
(a) Every person, firm, or corporation, manufacturing, producing, bottling, or distributing in bottles, or other closed containers, soda water, coca-cola, pepsi-cola, gingerale, chero-cola, Dr. Pepper, grape, and other fruit juices, or imitations thereof, carbonated, or malted beverages, and like preparations, commonly known as soft drinks, shall pay a special license tax under the following schedule, to-wit:
LOW PRESSURE EQUIPMENT.
Where the machine or the equipment unit used in the manufacture of the above named beverages is a:

| | |
|---|---|
| 36 spouts, or greater capacity, low pressure filler | $150.00 |
| 32 and less than 36 spouts, low pressure filler, | 125.00 |
| 24 and less than 32 spouts, low pressure filler, | 112.50 |
| 18 and less than 24 spouts, low pressure filler, | 87.50 |
| 12 and less than 18 spouts, low pressure filler, | 62.50. |

HIGH PRESSURE EQUIPMENT:
Where the machine or the equipment unit used in the manufacture of the above named beverages is a:
Royal (8-head); Shields (6-head); Adriance (6-head); or otherhigh pressure equipment having manufacturers' rating capacity of over sixty bottles per minute, $150.00
Royal (6-head); Daleson (6-head); or other high pressure equipment having manufacturers' rating capacity of over fifty and less than sixty bottles per minute, $125.00
Royal (4-head); Adriance (2-head); Shields (2-head); (full automatic); or other high pressure equipment having manufacturers' rating capacity ofmore than forty and less than fifty bottles per minute, $112.50.
Dixie (automatic) Shields (2-head hand feed); Adriance (1-head); Calleson (1-head); Senior (high pressure); Junior (high pressure); or Burn's or other high pressure equipment having manufacturers' rating capacity of more than twenty-four bottles and less than forty bottles per minute, $37.50.
Single-Head Shields, Modern Bond (power), Baltimre (semi-automatic), and all other machines, or equipment, having manufacturers' rating capacity of less than twenty-four bottles per minute, and all foot power bottling machines, $25.00.
PROVIDED, that any bottling machine or equipment unit is not herein specifically mentioned shall bear the same tax as a bottling machineor equipment unit of the nearest rated capacity as herein enumerated; provided, that where any person, firm, orcorporation, or association, has within his bottling plant or place of manufacture more than one bottling machine or equipment unit, then such person, firm or corporation, or association, shall pay the tax as herein specified upon every such bottling machine or equipment unit whether in actual operation or not.
(b) Every person, firm, corporation or association, distributing at wholesale, or

jobbing, bottling beverages, as enumerated in subsection (a), shall pay an annual license tax of, $87.50.

PROVIDED, however, that where the tax levied under subsection (a) has been paid on any of the articles, machines, or equipment units enumerated therein, the tax levied under this subsection shall not apply, nor shall any tax be collected on account of the delivery of the products, beverages, or articles enumerated in subsection (a), and (b), when a tax has been paid under sub-section (a) or (b).

(c) Carbonated, mineral, or other waters, selling or delivering in the city, per annum, $50.00

(d) Itinerant dealers, selling or delivering to retailers bottled soft drink waters, shall pay a license tax of, per month, $50.00

And, in addition to the above tax, for each vehicle operated in connection w per vehicle, $10.00.

BOWIE KNIVES.

Any person, firm, or corporation, who shall keep in stock, oroffer for sale, any bowie knives, dirks, daggers, slingshots, loaded canes, or brass, iron or metallic knuckles, shall pay a license tax of, per annum, $200.00

BOWLING ALLEYS.

Every person, firm, corporation, association, club, or organization, by whatsoever name called, who shall own, rent, maintain or operate a bowling alley or alleys, shall pay on each alley so owned, rented, kept, maintained, or operated, per annum, $15.

BOX FACTORIES.

Per annum, $25.00.

BRANCH AND CHAIN STORES.

See "Chain and Branch Stores".

BRASS BANDS, ADVERTISING BY THE USE OF.

See "Advertising, Outdoor", Subsection (c).

BRASS KNUCKLES.

See "Bowie Knives".

BROKERS, COTTON.

Every person, firm, or corporation, engaged in the business of buying and/or selling on commission any cotton, grain, provisions, or other commodities, either for actual spot, or in future delivery, shall pay a license tax of, per annum, $50.00

BROKERS, LOAN AGENTS.

See "Loan Agents or Brokers".

BROKERS, LUMBER.

See "Lumber Agents".

BROKERS, MERCHANDISE AND STOCK.

On every commission merchandise broker or dealer engaged in the buying and sale of goods and merchandise on commission, a license tax shall be paid of, per annum $

BROKERS, PAWN.

On every person, firm or corporation, engaged in lending money or other things for profit, or on deposit of specific articles of personal property deposited with the lender by pledge, a license tax of, per annum, $100.00

Applicants for pawnbroker's license must apply to the City Manager, in person for license; and file bond with a company licensed to do such business in the State of North Carolina as surety conditioned as the said Council may determine; which bond must be approved by the Solicitor of the Police Court; provided, every pawnbroker shall make daily report to the Chief of Police, such report to give an accurate record of each individual article received or deposited as surety, showing name and address of owner, description of article, sufficient for identification, amount advanced for loan: such report to be made in a clear, legible hand or on a typewriter. Any person, firm or corporation, transacting the business of pawnbroker without a license, as provided in this section, or violating any of the provisions of this section, shall be guilty of a misdemeanor and fined not less than fifty ($50.00) dollars.

BROKERS, STOCK.

Every dealer in stocks, bonds, or other securities, whether engaged in buying or selling on commission, or buying outright, shall pay a license tax of, per annum $50.00.

BUILDING AND LOAN ASSOCIATIONS.

Every building and loan association, domestic or foreigh, operating on a mutual or cooperative basis for the purpose of making loans to its members only, and of enabling its members to acquire real estate, make improvements thereon, and remove incumbrances therefrom by the payment of money in periodical installments or principal sums, and for the accumulation of a fund to be returned to members who do not obtain advances for such purposes, shall pay an annual license tax as follows:

A tax of two (2¢) cents on each one hundred ($100.00) dollars of actual book value of shares of stock issued and outstanding on the 31st day of December, 1932, as shown by reports of such association to the Insurance Commissioner, and approved by said Commissioner.

BUILDING MATERIALS.

(a) Every person, firm or corporation, engaged as a dealer in lumber or other building materials, shall pay a license tax of, per annum, $50.00.

(b) Building Material Brokers: Every person, firm, or corporation, engaged in the brokerage of building materials, shall pay a license tax of, per annum $50.00.

(c) Every person, firm, or corporation, hauling or delivering lumber of building material in the city of Asheville, not having paid the tax in sub-section (a), and (b), shall pay the following tax:

| | |
|---|---|
| On each one-ton truck or less, | $ 50.00 |
| On each truck over one ton, | 75.00 |
| On each two-horse wagon, | 24.00 |
| On each one-horse wagon, | 15.00. |



BUSINESS OR COMMERCIAL SCHOOLS.

Every person, firm or corporation, engaged in the business of conducting a business or commercial school for profit, shall pay a license tax of, per annum, $25.00

BUTCHER SUPPLIES.

Dealers in butchers supplies shall pay a license tax of, per annum, $50.00.

BUYING AND SHIPPING OF TELEPHONE POLES, CROSS TIES, LOGS, TIMBER, AND KINDRED OTHER ARTICLES- OFFICE ONLY.

Each, per annum, $25.00

"C"

CABINET OR FURNITURE RETAIL SHOPS.

Per annum, $ 15.00

CAKES AND CRACKERS.

See "Bakery Products".

CAMERAS AND KODAKS.

Every person, firm, or corporation, selling or renting cameras or kodaks, per annum, $5.00.

CANDY MANUFACTURING OR CANDY KITCHENS.

Every person, firm, or corporation manufacturing candy, or other confectioneries, each, per annum, $50.00

CANDY.

At wholesale, where twenty (20%) percent or more business done is the selling of candy, per annum, $75.00.

At wholesale, where less than twenty (20%) percent of the business done is the selling of candy, per annum, $10.00

Every person, firm, or corporation, selling candy, not at wholesale, shall pay a license tax of, per annum, $2.50.

On each truck delivering candy or chewing gum or peanuts or confections, or tobacco products, for concerns which have to do with the wholesale business conducted, per annum, $50.00

CANES, LOADED.

See "Bowie Knives".

CANE RACKS.

Racks for canes or knives, each per day, $10.00.

CANVASSERS.

Every person, firm, or corporation engaged in the business of canvassing, per annum, $5.00.

NOTPROFRAIED.

A canvasser shall mean anyone who solicits orders for goods, or calls from house to house anywhere within the corporate limits of the city of Asheville.

CAP PISTOLS.

See "Fire Works".

CARBIDE MANUFACTURERS OR DISTRIBUTORS.

Every person, firm, or corporation, engaged in the business of manufacturing or selling or distributing carbide, per annum, $15.00.

CARNIVAL COMPANIES.

Every person, firm, or corporation, engaged in the business of a carnival company or a show of like kind, moving pictures, and beauty shows, museums and menageries, merry-go-rounds, ferris wheels, riding devices, and other like amusements and enterprises, conducted for profit, under the same general management; or an aggregate of shows, amusements, eating places, riding devices, or any of them operating together on the same lot or contiguous lot or streets, traveling from place to place, whether owned and actually operated by separate persons, firms, or corporation, or not, filling week-stand engagements, or giving week-stand exhibitions, in any one place, or a part of a week, shall pay for the privilege of engaging in such business temporarily, for each week or part of a week, the following tax:

Consisting of not more than two distinct attractions, per week or part thereof, $200.00,

Consisting of two and not more than five distinct attractions, per week or part thereof, $300.00,

Consisting of more than five distinct attractions, per week or part thereof, $400.00.

PROVIDED, before any carnival company shall give any performance or exhibition, or open for the conduct of business within the corporate limits of the city of Asheville, an application in writing shall be made to the City Council, verified by the owner or manager of such carnival company, and giving the following information:

The name of the owner of such carnival company, and in the event such owner is a corporation, the state where chartered, and its office or principal place of business, together with names of the officers of such corporations or if a partnership, the names of all the partners; also, the route for a period of three weeks following the paying in the city of Asheville.

Only one carnival will be licensed to pay within the corporate limits of the city during any one month, and in the event of the granting of any license permit, such permit shall only authorize the operation of the exhibition known as "shows" or "rides", and the operation of any gambling games, including "wheels", "stores", or other concessions, are expressly prohibited, and the right is hereby reserved to refuse any and all applications for permits, and in no event will any rebates, reductions from the tax levied, be made for any cause or purpose whatsoever.

A cash deposit of fifty dollars will be required from each carnival before "setting up" on lot, to defray the expenses of the Sanitary Department for cleaning up the lot used. The actual cost of cleaning will be charged and a refund will be made in the event of any surplus.

CARPET OR RUG CLEANING.
Per annum, $25.00
Where license is paid under "Cleaningor Pressing Club Establishments", tax not collectable under this section.

CASKETS, COFFINS- DEALERS IN.
Every person, firm, or corporation, engaged in the business of burying and/or embalming the dead, or in the retail of coffins, caskets, or other funeral supplies, shall pay a license tax of, per annum, $100.00
PROVIDED, this section shall not apply to a cabinet maker who is not an undertaker, who makes coffins to order, nor to licensed embalmers.

CEMENT BLOCKS.
Manufacturers of cement bloacks, or pipe manufacturers, each per annum, $25.

CEREAL MANUFACTURERS.
Every person, firm, or corporation, manufacturing cereals, shall pay a license tax of, per annum, $25.00.

CHAUTAUQUAS AND ENTERTAINMENTS-CHARITABLE.
Per week or part week, $20.00
All exhibitions or entertainments given for the sole benefit of religious, charitable or educational objects, shall be exempt from taxation.
PROVIDED, that when operas, chautauquas, star courses, or theatrical troupes are employed, such as usually appear in licensed halls, then the tax shall be the same as that imposed on traveling theatrical companies performing in unlicensed halls.
PROVIDED, further, that no tax shall be charged for any exhibition, or entertainment for the sole benefit of religious, charitable, or educational objects, and given in halls used at the time exclusively for such objects, nor for exhibitions given at city parks when no charges for admission are made.

CHAIN AND BRANCH STORES.
Every person, firm, or corporation, engaged in the business of operating or maintaining, under the same general management, supervision, or ownership, two or more stores or mercantile establishments where goods, wares and/or merchandise are sold, or offered for sale at retail, shall be deemed a branch or chain store operator. On each and every such store operated, a license tax shall be paid of, per annum $50.00.

CHEMISTS, MANUFACTURER.
Each, per annum, $15.00.

CHEWING GUM, DEALERS IN.
See "Candy".

CHICKENS, BABY.
Every person, firm, or corporation, selling from their business establishment any chickens under six weeks of age, shall pay a license tax of, per annum, $10.00.

CHINA AND QUEENSWARE.
Every person, firm, or corporation, engaged in the business of selling china and queensware, shall pay a license tax, per annum, as follows:
Where 75% of the business is derived from the sale of such articles, $25.00.
Where less than 75% of the business is derived from the sale of such articles, $5.00.

CIGARS, CIGARETTES, AND TABACCO- RETAILERS AND JOBBERS.
Every person, firm, or corporation, manufacturing cigars, cigarettes, chewing tobacco, smoking tabacco, snuff, or any other tobacco products, shall pay a license tax of, per annum, $10.00
Every person, firm, or corporation, engaged in the business of retailing cigars, cigarettes, chewing tobacco, smoking tobacco, snuff, or any other tobacco products, shall pay a license tax of, per annum, $5.00
Every person, firm or corporation, engaged in the business of retailing, wholesaling, and/or jobbing cigars, cigarettes, chewing tobacco, smoking tobacco, snuff, or any other tobacco products, shall pay a license tax of, per annum $10.00.

CIRCUSES.
Every person, firm or corporation, engaged in the business of exhibition performances, such as a circus, wild west show, dog and/or pony show, or any other show exhibition, or performance similar thereto, shall pay the following tax for each day or part thereof:
(a) Such shows and/or exhibitions traveling on railroads and requiring transportation of:

| | |
|---|---|
| Not more than two cars, | $15.00 |
| Three to five cars, inclusive, | 22.50 |
| Six to ten cars, inclusive, | 45.00 |
| Eleven to twenty cars, inclusive, | 62.50 |
| Twenty-one to thirty cars, inclusive | 87.50 |
| Thirty-one to fifty cars, inclusive | 125.00 |
| Over fifty cars, | 150.00 |

(b) Such shows and/or exhibitions traveling by automobiles, trucks or other vehicles, other than railroad cars, and requiring transportation by:

| | |
|---|---|
| Not over two vehicles | 6.25 |
| Three to five vehicles | 8.75 |
| Six to ten vehicles | 12.50 |
| Eleven to twenty vehicles | 15.00 |
| Twenty to thirty vehicles | 20.00 |
| Thirty to fifty vehicles | 27.50 |

Over fifty vehicles, per vehicle in excess thereof, $2.50.



(c) Each sideshow, curiosity sho , or other small , exhibiting on the same or contiguous lots with a circus, the tax shall be, per day
And each separate tent shall be
tax hereinbeforeprovided.
The payment of the foregoing tax shall only permit
"sideshow", or in circus parlance, the "ki shows". Before any permit for
of any circus, menagerie, wild west show, or dog and pony show shall be given,
must be made to the City Manager, which applic tion must also state the name or title of the
circus or other exhibition, the manager thereof, the owner or operators of the same, and,
if a corporation, the principal office or place of business of the corporation, and
the route of such circus or exhibition for the six months next ensuing, if
and if such route is not determined at the time of such application, it
giving any performance within the city; the number of cars, including the
upon which the "big top", "cook house", stables, etc. of contents to be carried will be
whether a parade will be given or not; the activities to be made in connection,
retail price thereof; which application must be sworn to and
authorized to administer oath; provided, further, that the
of the State Treasurer or an actual count of cars in the license
of a license on themain andside shows shall not authorize
of any concessions, soft drinks, or other
designated herein upon such sales, and the sale of
supervision of the Health and Sanitary Department, and all ordinances regulating the
of food shall apply to sales by any circus, their servants, agents, employees or
concessionaries.
PROVIDED, further, that a cash deposit of fifty ($50.00) dollars will be required
from each circus or exhibition before "Setting up" on lot, to defray the expenses of the
Sanitary Department for cleaning up the lot used. The actual cost of cleaning will be
charged and refund will be made in the event of any surplus.
water used from the city supply will be required to

CLAIM OR COLLECTION AGENCIES.
Every person, firm, corporation or association,
operating a collection agency for the purpose of collecting
other indebtedness from one person in favor of another,
per annum, $20.00
PROVIDED, that this section shall not apply to
attorney-at-law.

CLEANING AND PRESING ESTABLISHMENTS.
See "Pressing Clubs".

CLEANERS OR DYERS OF HATS.
See "Pressing Clubs".

CLOTHING MERCHANTS-MEN'S APPAREL.
Every person, firm, or corporation,
and/or boys' apparel, at retail, shall pay a
Where 75% of the business is derived from
Where less than 75% of the business is
$5.00.

CLOTHING MERCHANTS-WOMEN'S APPAREL.
Every person, firm, or corporation,
and/or girl's apparel, at retail, shall pay a
Where 75% of the business is derived from
Where less than 75% of the business
$5.00.

CLOTHING (SECOND HAND).
Dealers in secondhand colothing
PROVIDED, that all such dealers

COAL AND COKE DEALERS.
(a) Wholesale. Every person, firm, or corporation,
principal, engaged in and conducting the business of
or in greater quantities, shall be deemed a
tax of, per annum, $75.00.
NOT PRORATED.
PROVIDED, that if such wholesale dealer
than carload lots, he shall not be subject to
subsection (b) hereof.
(b) Retail. Every person, firm, or corporation,
selling coal or coke at retail, shall pay for each place of
facilities, from which such coal or coke is sold or
to volume of business, as follows:

| | |
|---|---|
| Those who handle 75 cars or less per year, | $35.00 |
| Those who handlemore than 75 cars and less than | 45.00 |
| Those who handle 125 cars and less than | 55.00 |
| Those who handle 175 cars and less than | 65.00 |
| Those who handle 225 cars or more per year, | 75.00 |

(c) Retail. Every person, firm, or corporation,
ing coal or coke at retail, shall pay for each place of
les, a license tax of, per annum, as follows:

| | |
|---|---|
| Where 5 tons or more are kept on hand at any one time, | $75.00 |
| Where less than 5 tons are kept on hand at any one time, | 10.00. |

(d) Retail. Every person, firm or corporation,
ing coal or coke at retail, and having sub-stations at which less than 5 tons are kept, and
have paid license taxes under (b) and/or (c), shall pay, for each such sub-stations, a
license tax of, per annum, $10.00.

COCA-COLA, BOTTLING WORKS, MANUFACTURERS OF.
See "Bottling Works".

COFFEE.
See "Tea, Coffee and Sugar".

COFFEE ROASTERS.
Every person, firm, or corporation, engaged in operating one or more coffee roasting machines, shall pay a license tax of, per annum, $25.00.

COFFINS, CASKETS-DEALERS IN.
See "Caskets, Coffins, Dealers in".

COLD STORAGE WAREHOUSES.
On each person, firm, or corporation, operating a warehouse where cold storage is furnished for any purpose, a license shall be paid, per annum, of $150.00.

COMMERCIAL AGENTS.
Each, per annum, $50.00.

COMMERCIAL SCHOOLS.
See "Business Schools".

COMMISSION BROKERS AND SELLERS.
Every person, firm, or corporation, who or which engages in the business of buying and/or selling on commission any cotton, grain, provisions, or other commodities, either for actual, spot, or instant delivery, shall pay a license tax of, per annum, $50.00

CONTRACTORS AND CONSTRUCTION COMPANIES.
(a) Building Contractors and Construction Companies: Every person who, as building contractor for a fixed price, commission, fee, or wage, offersor bids to construct or to superintend the construction of any building, highway, street, sidewalk, bridge, culvert, sewer, water or draining system, electric or steam railway, reservoir, or dam, hydraulic or power plant, transmission line or tower, excavation, or grading, or other improvement or structure, or any part thereof, shall pay a license tax of, per annum $10
(b) Electrical Contractors: Every electrical contractor holding a Certificate A, andengaged in the business of wiring houses with electrical wiring or installing electrical apparatus of any kind, shall pay a license tax as follows:
If not more than three certified electricians are employed, per annum $20.00
If more than three and less than six certified electricians are employed, per annum, $50.00.
If six or more certified electricians are employed, per annum $100.00.
(c) Heating, Plumbing, Stea, Gas, Sprinkler, and other Pipe Fitting Contractors
Every person, firm, or corporation, engaged in business as a heating, plumbing, steam, gas, sprinkler, or other pipe fitting contractor, shall pay a license tax as follows:
If not more than three journeymen plumbers or fitters are employed, per annum $20.00,
If more than three and less than six journeymen plumbers or fitters are employed, per annum, $50.00,
If more than six journeymen plumbers or fitters are employed, per annum, $10
(d) Painting Contractors and Itinerant Smoke Stack and Structural Steel Painters
Every person engaged in business as a painting contractor, shall pay a license tax of, per annum, $25.00.
PROVIDED, however, that itinerant smoke stack and structural steel painters shall pay a license tax of:
Per annum $15.00
Per month 2.50.
(e) Plastering Contractors: Every person engaged in business as a plastering contractor, shall pay a license tax of, per annum, $25.00.
(f) Sheet Metal, Tinning, Roofing, or Ventilating Contractors: Every person engaged in business as a roofing, sheet metal, tinning, ventilating contractor, or operating a tin shop, shall pay a license tax as follows:
If not more than three persons are employed, per annum $ 25.00,
If more than three and less than six persons are emploued, per annum, $50.00.
If six or more persons are employed, per annum, $100.00.
PROVIDED, that such tax shall not apply to any person paying the tax prescribed by sub-section (c) of this section for heating, plumbing, or steam fitting contractors.
PROVIDED, further, that the tax under this sub-section (f) shall not be paid if theperson, firm, or corporation, has paid the tax provided under the heading "Furnace Dealers in".
(g) Wrecking Contractors: Every person making any contract to demolish, wreck or tear down any house or building, and every person engaged in the business of demolishing, wrecking, or tearing down houses or buildings, shall pay a license tax of, per annum, $25.00.
(h) Contractors, Miscellaneous: Every person engaged in business as contractor and not otherwise specifically taxed by this article, shall pay a license tax of, per annum, $15.00

COTTON BROKERS.
See "Brokers, Cotton".

COTTON MILLS.
Every person, firm, or corporation, operating a cotton mill, shall pay a license tax of , per annum, $15.00

COUPON BOOKS.
Every person, firm, or corporation, issuing,selling and/or delivering books or other similar devices containing coupons or tokens of trade which may be presented at any business house and accepted as a discount, bonus, premium, or an an instrument to secure trade or patronage, shall pay a license tax of, per annum, $200.00.



CREAMERIES, DAIRIES, AND MILK PASTEURIZERS.
(a) Each establishment shall pay a license tax of, per annum, $[illegible].00
(b) On each motor vehicle hauling or delivering milk products, at retail or wholesale, a license tax shall be paid of, per annum, $15.00.
(c) On each horse-drawn vehicle, a license tax shall be paid of, per annum, $7.50.
PROVIDED, that wherethe $200.00 license is paid under sub-section (a), the taxes under sub-section (b) and (c) are not collectable.

"D"

DANCES.
Every person, firm, or corporation, operating [illegible] shall pay a license tax of, per annum, $25.00.
Where a charge per dance is made, in addition to the annual license tax is not paid, per annum, $1.00.
This tax shall apply to any place where dances are given, whether other tax is paid or for what purpose the proceeds are to be used.

DANCING SCHOOLS.
Every person, firm, or corporation, operating a [illegible] giving instruction in dancing, shall pay a license tax of, per annum, $10.00.

DECORATORS.
Every person, firm, or corporation, placing decorations on buildings, streets, or other places, for compensation, shall pay a license tax of:
Resident, $15.00
Itinerant 75.00
NOT PRORATED.

DECORATORS, INTERIOR.
See "Interior Decorators".

DELICATESSENS.
Every person, firm, or corporation, operating a [illegible] shall pay a license tax of, per annum, $25.00
However, if restaurant service is given, a tax shall be paid as provided for restaurants.

DELIVERY AGENCIES.
Parcel or delivery companies shall pay a license tax, where automobiles or trucks are used, of, per annum, $60.00.
PROVIDED, however, that persons, firm, or corporations, delivering packages, parcels, or bundles, by motorcycle, and charging for such service, shall pay a license tax of, per annum, $30.00.
PROVIDED, further, thatpersons, firms, or corporations, delivering packages, parcels, or bundles, and charging for such service, and using bicycles, or delivering by other means, shall pay a license tax of, per annum, $15.00.

DENTAL SUPPLIES OR EQUIPMENT.
Every person, firm or corporation, selling, distributing, and/or dealing, dental supplies, shall pay a license tax of, per annum, $50.00.
PROVIDED, however, that the provisions of this section shall not apply to licensed drug stores or licensed dentists.

DENTISTS. Exempt by State Statutes.

DETECTIVE AGENCIES.
Each, per annum, $20.00
Each employee of any agency, per annum, $5.00.

DEVICES, TRADING STAMPS, ETC.
On every person, firm, or corporation, engaged in the business of issuing, selling, and/or delivering trading stamps or checks, receipts, certificates, tokens, or other similar devices, or persons engaged in trade or business with the understanding or agreement expressed or implied that the same shall be presented or given by the latter to their patrons as a discount, bonus, premium, or as an inducement to secure trade or patronage, and that the person, firm, or corporation, selling or delivering the same will give to the persons presenting or promising the same, money or things of value, or any commission or preference in any way on account of the possession or presentation thereof, license tax of, per annum, $200.00
(a) This section shall not be construed to apply to a manufacturer or to a merchant who sells the goods, wares, or merchandise of such manufacturer offerin to present to the purchaser or customer a gift or premium with the intent to purchase such goods, wares or merchandise.

DIRECTORIES.
Every person, firm. or corporation, compiling, selling, or delivering city directories, shall pay a license tax of, per annum, $10.00.

DOGS.
Each, per annum, (male and spaded female) $1.00
Each, per annum, (female), 2.00
PROVIDED, that any dog caught on the streets in the city of Asheville shall be impounded and a fee of one dollar per day shall be paid by the owner or anyone wishing to release the dog, and if the dog is not called for within five days, the owner shall have no claim.
Any dog catcher disposing of any dog except through the provisions of law, shall be guilty of a misdemeanor upon conviction.
Ten dogs or more, see "Kennels".

DOUGHNUTS.
All Brown Bobby or doughnut machines, each, per annum, $10.00

DRAYS, TRUCKS, MOVING VANS, TRANSFER COMPANIES, ETC.
See "Motor Vehicles for Hire".

DRUG STORE LUNCHES.
See "Restaurants".

DRY GOODS AT WHOLESALE.
Every person, firm, or corporation, selling drygoods at wholesale, where [illegible] business is derived from such sales, shall pay a license tax of per annum $10.00.

DYERS.
See "Pressing Clubs".

"E"

EGGS.
See "Poultry and Eggs".

ELECTRICAL ENGINEERS. Exempt by State Statutes.

ELECTRICAL EQUIPMENT, FIXTURES, OR SUPPLIES.
Every person, firm, or corporation, selling or distributing any electrical equipment, supplies, or fixtures, where 75% of the business done is electrical equipment fixtures, or supplies, shall pay a license tax of, per annum, $25.00.
Where less than 75% of the business done is electrical equipment, fixtures, or supplies, a tax of, per annum, $10.00.

ELECTRICAL CONTRACTORS, PLUMBERS, STEAM AND GAS FITTERS.
Every person, firm, or corporation, engaged in the business of electrician, plumber, steam, or gas fitters, or installing electrical equipment, or offering to perform such services, shall pay the following tax, per annum,
Employing three persons or less, $20.00
Employing more than three persons and less than six, 50.00
Employing six persons or more, 100.00.
PROVIDED, that any person, firm, or corporation, engaged exclusively in the [illegible] enumerated in, and licensed under, this section, shall not beliable for the tax provided in Section 122 of the Revenue Act of 1933.
PROVIDED, further, that every person, firm or corporation, coming within the provisions of Section 122 of the Revenue Act of 1933, shall pay a license tax of, per annum, $10.00

ELECTRIC LIGHT COMPANIES.
On every electric light company, power company, gas company, or street railway company doing business or having an office within the city, an annual license tax of one percent on the gross receipts of its said business shall be paid.

ELECTRIC SIGNS.
Every person, firm, or corporation, selling, making, or distributing electric signs, shall pay a license tax of, per annum, $25.00.

ELEVATORS.
Every person, firm, or corporation, engaged in the business of sellingor repairing or servicing or equipping or installing elevators, shall pay a license tax of, per annum, $150.00

EMBALMERS. Exempt by State Statutes.

EMPLOYMENT AGENTS AND AGENCIES.
(a) Emigrant Agents: Every emigrant agent or person engaged in the business of procuring laborers for employment outside of Buncombe County, shall pay a license tax of, per annum, $100.00
NOT PRORATED.
PROVIDED, that such tax shall not apply to any resident person for taking laborers to some place outside of Buncombe County for the purpose of using them for his own employment.
(b) Employment Agencies: Every person engaged in the business of operating any agency for employing cooks, house servants, office help, teachers, laborers, or persons for any employment whatsoever, and making a charge for the services rendered, shall pay a license tax of, per annum, $100.00
NOT PRORATED.

ENGINEERS, CIVIL. Exempt by State Statutes.

ENGRAVING OR LITHOGRAPHING ESTABLISHMENTS OR SHOPS.
Each, per annum, $25.00.

ENTERTAINMENTS, OPERAS, CHAUTAUQUAS, STAR COURSES, OR THEATRICAL TROUPES.
Such as usually appear in licensed halls, tents, or theatres, employed by or for charitable, religious, benevolent, or educational purposes, shall pay a license tax of, for each day or part of day's exhibition, or performance, $25.00.
PROVIDED, however, thatif such chautauqua, opera, star course, theatrical troupe, or entertainment, shall obtain a State License Tax, as provided under Section 108 sub-section G, of the 1933 Revenue Act, shall pay a license tax of, for each week or part thereof, $20.00



EXPLOSIVES.
Every person, firm, or corporation, selling and/or distributing dynamite, powder, or other explosives, shall pay a license tax of, per annum, $100.00.

EXPRESS COMPANIES.
(a) Every person, firm, or corporation, domestic or foreign, engaged in the business of an express company, as defined in the 1933 Revenue Act, shall pay for the privilege of doing such business within the municipal limits, a license tax of, per annum, $75.00.
(b) Every person, firm, or corporation, hauling or delivering express within the corporate limits of the city of Asheville, shall pay an annual license tax as follows:
On each motor vehicle of one ton capacity or less $ 25.00
On each motor vehicle of more than one tone capaicty and not more then two, $35.00
On each motor vehicle over two ton capacity, $40.00.

EXHIBITIONS OR EXHIBITS NOT SPECIFICALLY TAXED HEREIN.
Per day. $ 7.50
Per week 35.00

"F"

FACTORIES, BARREL, GRATE, BASKET.
See "Barrel Factories."

FACTORIES, BOX.
See "Box Factories".

FARM PRODUCTS.
See "Fruits and Produce".

FEATHER RENOVATORS.
Each, per annum, $25.00.

FERRIS WHEELS.
See "Riding Devices".

FERTILIZER DEALERS.
Every person, firm, or corporation, or their agents, selling delivering, or distributing fertilizer, shall pay a license tax of, each per annum, $25.00.
Mixers or manufacturers of fertilizer, shall pay a license tax of, per annmu, $150.00
PROVIDED, however, only the latter shall be collected from a manufacturer who is also a dealer.

FILLING STATIONS.
See "Automobile Service Stations".

FILMS, MANUFACTURERS, SELLING OR LEASING. Exempt by State Statutes.

FINANCE COMPANIES, AUTOMOBILE.
See "Automobile Dealers", Sub-section (i).

FIRE INSURANCE COMPANIES. Exempt by State Statutes.

FIRE WORKS.
Every person, firm, or corporation, engaged in the business of selling or offering for sale, cap pistols, fire crackers, fire works, or other articles of like kind, shall pay a license tax of, per annum, $10.00.

FISH, ORNAMENTAL.
Every person, firm, or corporation, selling gold, silver, or other ornamental fish, alive, for use in an aquarium, bowls, or other ornamental purposes, shall pay a license tax of, per annum, $10.00
This tax shall not be collected when a pet shop license is obtained.

FISH, PEDDLERS OF. Prohibited.

FISH AND OYSTER DEALERS.
Each, per annum, $25.00.
PROVIDED, that all dealers in fish and oysters shall secure a permit from the Health Officer.

FIVE AND TEN CENT STORES.
Every person, firm, or corporation, engaged in the operation of a business commonly known and designated as a "Five and Ten Cent Store", or wherethe majority of the articles of merchandise are offer for sale and are priced at less than one dollar, shall pay a license tax of, per annum, $300.00.
PROVIDED, wherethis tax of $300.00 is paid, the "Chain Store" license tax, and all other license taxes levied by this ordinance on individual items, shall not be collectable; but otherwise, "Chain Store" tax and all of theother individual items shall be collectable.

FLAGS, ITINERANTS SELLING.
See "Balloons".

FLOOR FINISHERS.
Floor finishers using electrically operated machinery, shall pay a license tax of, per annum, $15.00.

FLORISTS.
(a) On every person, firm, or corporation, operating or maintaining a shop or store for the sale of flowers or ornamental plants, a license tax shall be paid of, per annum, $50.00
PROVIDED, that if any person, firm, or corporation, shall do an annual business of less than $1500.00, the tax on such business shall be $25.00.
(b) On every person, firm, or corporation, operating or maintaining a wagon or truck for the sale of flowers or ornamental plants on the streets of the city, and not paying the foregoing tax, on each truck or wagon, shall be paid a license tax of, per annum, $25.00.
(c) On every person selling flowers, or ornamental plants or Christmas trees, shall be paid a license tax of, per annum, $7.50.
The foregoing tax shall not be prorated.
PROVIDED, however, that in the case of the sale of uncultivated, wild flowers gathered from the woods and fields of Western North Carolina, no tax shall be collected.
Sale of flowers and ornamental plants on sidewalks and streets hereinafter enumerated expressly PROHIBITED: On Pack Square, Patton Avenue from Pack Square to Cox Street; Haywood Street from Patton Avenue to south property line of Municipal Auditorium Government Street; Mill Street; and Battery Park Place.

FLOUR OR GRIST MILLS.
On each and every person operating a flour or grist mill, a license tax shall be paid of, per annum, $50.00

FLYING-LADDY OR MERRY-GO-ROUND.
See "Riding Devices".

FORTUNE TELLERS.
See "Gypsies and Fortune Tellers".

FOUNDRIES AND MACHINE SHOPS.
Each, per annum, $50.00
Foundries or machine shops buying or selling old scrap brass, copper, or lead are merely required to keep the same records as are required of junk dealers.

FOUNTAINS, SODA.
Every person, firm or corporation, engaged in the business of operating a soda fountain or soft drink stand, shall pay a license tax as follows:
On each carbonated draft arm of each soda fountain, per annum, $5.00.

FRANCHISES, SPECIAL
See "Automobile Service Stations on Sidewalks or Streets".

FRATERNAL INSURANCE ORDERS. Exempt by State Statutes.

FRUIT PEDDLERS.
See "Fruits and Produce".

FRUIT STANDS.
When the principal articles of sale are fruits and/or vegetables, at retail, a license tax shall be paid of, per annum, $10.00

FRUITS AND PRODUCE (Wholesale).
Every person, firm, or corporation, who maintains a permanent place of business for the purpose of selling at wholesale, fresh fruits, vegetables, and produce in the city of Asheville, shall pay a license tax of, per annum, $100.00
This tax shall not apply to farmers selling or offering for sale fresh fruits, vegetables, or farmproduce grown by seller.
The annual city license tax must be applied for and secured in advance before offering any of the above products for sale in the city of Asheville. This license cannot beprorated.

FUEL OIL.
Every person, firm, or corporation, engaged in the business of selling fuel oil at wholesale or retail, shall pay a license tax of, per annum, $25.00.

FUR CLOTHING DEALERS.
(a) Every person, firm, or corporation, selling either fur coats, chokers, scarfs, or otherarticles made in whole or in part out of fur, where 75 percent of the gross sale or stock of merchandise carried consists of fur articles, shall pay a license tax of, per annum, $50.00
(b) Every person, firm, or corporation, engaged in thebusiness of remodeling, repairing, or storing furs, employing two helpers or less, per annum, $10.00; employing more than two helpers, per annum, $25.00.

FURS (Hides Excepted).
Dealers in green or raw furs, each, per annum, $100.00.

FURNACES, DEALERS IN.
Every person, firm or corporation, selling, distributing, or repairing furnaces, or boilers, shall pay a license tax of, per annum, $50.00.

FURNITURE STORES.
Every person, firm, or corporation, selling furniture, new or second-hand, at retail, having a floor space of:

| | |
|---|---|
| 2,000 sq. ft. or less, to 4,000 sw. ft., per annum | $ 15.00 |
| 4,000 sq. ft. to 6,000 sw. ft., per annum | 25.00 |
| 6,000 sq. ft. to 8,000 sq. ft., per annum | 40.00 |
| 8,000 sq. ft. to 10,000 sq. ft., per annum | 60.00, |
| At wholesale, per annum, $150.00 | |

PROVIDED, however, that where any person, firm, or corporation, operates a business not dealing in furniture exclusively, a tax shall be paid on the floor space devoted to the sale of furniture, but in no case shall the license tax be less than $15.00 per annum.
Every person, firm, or corporation, buying or exchanging used furniture, shall, before beginning business, secure a permit from the Health Officer.



GALLERIES, SHOOTING.
Each, per annum, $50.00

GAMES. Games for sport or play, including boxing contests, wrestling matches, or exhibitions for profit, not herein specifically licensed, each exhibition or game, $10.00.
The foregoing shall not be collected from intercollegiate or high school athletic contests or baseball games.

GAS COMPANIES.
See "Electric Light Companies".

GASOLINE DISTRIBUTORS.
See "Oils and Gasoline".

GASOLINE OR OIL PIPE LINES-ANNUAL.
Laid in or across any public street, sidewalk, or alley, a tax of ten cents per lineal foot of such pipe line. PROVIDED, however, that no such pipe line shall be laid without first obtaining a license or permit by the City Manager, which license or permit may be granted or refused in the discretion of the Council, in the interest of public safety or convenience.

GIFT AND SOUVENIR SHOPS.
Every person, firm, or corporation, engaged in the business of operating a gift or souvenir shop, shall pay a license tax of, per annum, $10.00.

GINGERALE, BOTTLING OR WHOLESALE DEALERS.
See "Bottling Works".

GLASS.
Every person, firm, or corporation, selling or distributing glass, shall pay a license tax of:
At wholesale, per annum, $100.00,
At retail, per annum 50.00,
The foregoing retail tax is not collectible where the wholesale tax is paid.

GOLF,MINIATURE.
Per annum, $10.00.

GOODS, WARES, AND MERCHANDISE-PEDDLING OF.
(a) Any person, firm, or corporation, who or which shall carry from place to place any goods, wares or merchandise, and offer to sell or barter the same, or actually sells or barters the same, shall be deemed a pedaler, and shall apply for and procure from the collector of special license taxes a municipal license for the privilege of transacting such business and shall pay for such license the following annual tax:
Peddling on foot, $5.00.
Peddling with horse or other animal and with or without vehicle, for each vehicle, $10.00,
Peddling with vehicle propelled by motor or other mechanical power, for each vehicle, $20.00.
Any person, firm or corporation, employing the services of another as a peddler, whether on a salary or on a commission basis, shall be liable for the payment of taxes levied in this section.
(b) Any person, firm, or corporation, who or which shall offer to sell, from a cart, wagon, truck, automobile, or other vehicle, or retail upon the streets within the city, any fresh fruits and/or vegetables, shall be deemed a peddler within the meaning of this section, and shall pay the annual license tax levied in sub-section (a) of this section with reference to the character of vehicle employed.
(c) Any person, firm, or corporation, who or which sells or offers for sale, from any railway car, fresh fruits and/or vegetables, shall be deemed a peddler within the meaning of this section and shall pay an annual tax of $15.00.
Nothing in this section shall apply to the sale of farm products raised on the premises owned or occupied by the person, firm, or corporation, or the bona fide agent or employee, selling the same.
PROVIDED, however, before any person, firm, or corporation, who or which sells or offers for sale any fruits or farm produce upon any street, sidewalk, or alley, or from any railroad car, such person shall apply to the tax collector for a peddling permit, filing affidavit, sworn to before any officer authorized to administer oaths by the laws of the State of North Carolina, setting forth that all farm products to be sold or sold during the tax year will be grown or were owned or occupied by the person, firm, or corporation, and that no agent or employee selling the same, with description and location of the farm on which such produce or fruits has been grown or will be grown, and such other information which may be required from such person with reference to the growing or selling of the same, and, if entitled to sell such farm produce without the payment of the peddler tax herein provided, the tax collector shall issue a permit therefor, and such permit shall not be issued until the tax prescribed herein shall have been paid in full. City employees are prohibited from verifying any affidavit.
(d) Every itinerant salesman or merchant who shall expose for sale, either on the street, or in a house rented temporarily for that purpose, any bankrupt stock or fire stock, not being a regular merchant in the city, shall apply for in advance and procure a municipal license from the collector of special license taxes for theprivilege of transacting such business, and shall pay for such license a tax of $50.00 per annum.
(e) The provisions of this section shall not apply to any person, firm or corporation who or which sells or offers for sale books, periodicals, printed matter, ice, coal, wood for fuel, fish, beef, mutton, pork, bread, cakes, pies, products of the dairy, or articles of their own manufacture, but shall apply to medicine, drugs, or articles assembled.

PROVIDED, the exemptions contained in this section shall not allow or permit the sale or barter of any article of merchandise of any kind which is now prohibited or regulated by any other ordinance of the City of Asheville.

(f) EXEMPTIONS: Whenever the Board of Commissioners of Buncombe County, upon proper application, exempts from the provisions of this section Confederate soldiers, disabled veterans of the Spanish-American war, disabled soldiers of the World War, who have been bona-fide residentsof the State for twelve or more months continuously, and the blind who have been bona-fide residents of the state for twelve or more months continuously; widows with children, and such persons present to the collector of special license taxes of the City of Asheville a certified copy of such exemptions by said Board of County Commissioners, and such certificate shall entitle the holder thereof to peddle within the limits of said county without the payment of any license tax to the City, such person shall be entitled to peddle within the corporate limits of the City of Asheville by reason of such exemption; provided, however, that such exemption only relieves the holder thereof of the payment of the license tax imposed on persons not exempted, but all other ordinances of the City of Asheville, with reference to the sale of goods, wares and merchandise, shall apply to the persons so exempted.

GRAVING, PAVING, SIDEWALK, CURBING, OR STORM SEWERS.
See "Contractors and Construction Companies"

GRAPHOPHONES, PHONOGRAPHS, OR TALKING MACHINES.
See "Organs, Pianos and Phonographs".

GUNS.
See "Building Materials".

GUN AND LOCK SMITHS.
Each, per annum, $10.00

GYPSIES AND FORTUNE TELLERS.
Any gypsies or strolling bands, that persons living in wagons, tents, or other temporary habitations, having in possession horses, mules, or other stock in trade of value, and pretendingto tell fortunes, $500.00.

Persons other than gypsies, receiving reward for pretending to tell fortunes, $100.00.

"H"

HARDWARE.
See "Furniture Stores, etc.".

HARDWARE DEALERS.
Every person, firm, or corporation, engaged in the business of selling hardware, shall pay a license tax, per annum, as follows:
Where 75% of the business is derived from the sale of hardware, $25.00.
Where less than 75% of the businessis derived from the sale of hardware, $5.00.

HARNESS REPAIRERS OR MANUFACTURERS.
Each Itinerant, $100.00.
Each resident employing no workman, $ 5.00
Each resident employing one workman 7.00
Each resident employing two workmen 9.00
Each resident employing three workmen15.00
Each resident employing four workmen 24.00
Each resident employing five or more workmen, 35.00.

HAT CLEANING AND PRESSING CLUBS.
See "Pressing Clubs".

HATS.
See "Millinery".

HEALTH-PROFESSIONAL ACT. Exempt by State Statutes.

HEARSES.
Each, per annum, $150.00.

HOSIERY MILLS.
Every person, firm, or corporation, engaged in the manufacture of hosiery, shall pay a license tax of, per annum, $100.00.

HORSES, MULES, AND PONIES-DEALERS IN.
Every person, firm, or corporation, engaged in the businessof buying and selling horses and/or mules and/or ponies, shall pay a license tax of, per annum, as follows:
(a) Any person who, for the last three years continuously, has listed poll or property tax, shall pay:
For the first carload, $ 10.00
For each additional carload, 5.00
(b) Any person who, for the last three years continuously, has not listed poll or property tax, shall pay:
For the first carload, $ 50.00
For each additional carload 10.00.

HOSPITAL SUPPLIES-DEALERS IN.
Every person, firm, or corporation, engaged in the business of selling or distributing hospital supplies, shall pay a license tax of, per annum, $40.00.
PROVIDED, however, the tax shall not be collected from persons, firms, or corporations operating a drug store.



HOTELS AND BOARDING HOUSES.
Every person, firm, or corporation, engaged in the business of operating a hotel or boarding house, shall pay the following license tax per annum:
(a) American Plan: For hotels or boarding houses operating on the American Plan, for rooms in which rates per day are:
$1.00 and less than $2.00 $ .75
$2.00 and less than $3.00, 1.00
$3.00 and less than $4.50, 1.50
$4.50 and less than $6.00, 2.00
$6.00 and less than $7.50, 2.50
$7.50 and less than $15.00, 3.00
Over $15.00, 4.00.
(b) European Plan: For hotels or boarding houses operating on the European Plan, for rooms in whichrates per day are:
$1.00 and less than $2.00, .75
$2.00 and less than $3.00, 1.00
$3.00 and less than $4.50, 1.50
$4.50 and less than $6.00, 2.00
$6.00 and less than $7.50, 2.25
$7.50 and less than $10.00, 2.75
Over $10.00, 4.25
PROVIDED, however, the office, dining room, parlor, kitchen, and connecting rooms shall not be counted when calculating the number of rooms in the hotel or boarding house.
The tax provided for in this section shall apply to hotels operating on the daily, weekly, or monthly rates, but shall not apply to hotels charging less than $12.00 per week.
(c) For resort hotels and boarding houses operating exclusively six months or less than a year, the minimum tax shall be $2.50 per year.

HOTEL AND RESTAURANT EQUIPMENT-DEALERS IN.
Every person, firm, or corporation, engaged in the business of selling or distributing equipment for hotels or restaurants, whether for the cooking or other equipments, shall pay a license tax of, per annum, $75.00.

HOUSE MOVING.
See Section 4-(7). $25.00.

HYPNOTISTS. PROHIBITED.

"I".

ICE CREAM-ITINERANTS SELLING.
See "Balloons".

ICE CREAM- RETAIL MANUFACTURERS OR WHOLESALE DEALERS.
(a) Each retail dealer, per annum, $2.50.
PROVIDED, that a retail tax shall not be collected from restaurants or soda stores who have paid the prescribed tax.
(b) Every person, firm, or corporation, engaged in the business of manufacturing or distributing ice cream at wholesale, shall apply for a permit from the Director of Finance, for each place of business where manufactured and/or stored for distribution, a license tax of, per annum, $12.50.

(c) Ice cream peddlers, shall pay each a license tax of, per annum, $15.00.
License issued subject to approval and supervision of the Health Department and before party making application can be granted a license, it will be necessary to have a written statement from the Health Officer that the proposed method of handling ice cream is approved by him.
For the purpose of this section, the words "ice cream", shall apply to ice creams, frozen custards, sherbets, water ices, and/or similar frozen products.

ICE DELIVERY SERVICE.
Per vehicle, $10.00
PROVIDED, however, that this shall not apply to persons, firms, or corporations, who pay the license tax under "Ice Manufacturers or Dealers".

ICE MANUFACTURERS OR DEALERS.
(a) Any person, firm, or corporation, manufacturing ice, shall pay a license tax of, per annum, $300.00
(b) On each retail depot, a license tax shall be paid, per annum, $6.00
NOT PRORATED.

IMPLEMENTS.
See "Agricultural Implements and Machinery".

INSURANCE AGENTS. Exempt by State Statutes.

INSURANCE FIRE COMPANIES. Exempt by State Statutes.

INSURANCE FIRE ADJUSTERS. Exempt by State Statutes.

INSURANCE-FRATERNAL ORDERS. Exempt by State Statutes.

INSURANCE-TITLE.
See "Title Insurance".

INTERIOR DECORATING AND WALL PAPER HANGING.
Every person, firm, or corporation, engaged in the business of paper hanging, or engaged in the business of interior decorating, shall pay a license tax as follows:
Wall peper hanging, per annum, $ 25.00
Interior Decorating, per annum, 25.00
Interior decorating does not include paintingor wall paper hanging.

"J"

JEWELRY.
Every person, firm, or corporation, operating a jewelry store or shop, or selling plated and silver ware, shall pay a license tax of, per annum, $45.00
Every person, firm, or corporation, having a jewelry department, or selling plated or silverware, but not engaged exclusively in the sale of jewelry, or platedor silver ware, shall pay a license taxof, per annum, $10.00.

JEWELRY STANDS.
Every person, firm, or corporation, making key rings, tags, etc., in any place other than a buil ing occupied for such purposes, shall pay a license tax of, per annum, $10.00
NOT PRORATED.
PROVIDED, that no person shall be allowed to make jewelry, key rings, tags, trinkets upon public property or on the streets, sidewalks, or alley-ways of the city.

JEWELRY REPAIR SHOPS(OR WATCHMAKERS).
Every person, firm or corporation, operating a jewelry or wat repair shop, shall pay a license tax of, per annum, (one man shop), $5.00.
PROVIDED, that where a jewelry shop or store pays a jewelry tax, no tax shall be collected hereunder.

JUNK DEALERS.
Every person, firm or corporation, buying or selling junk, shall pay a license tax of, on each place of business, per annum, $250.00,
Each wagon or truck collecting junk, per annum, $50.00.
Any person, firm, or corporation, desiring a license hereunder, must first make application in person to the City Manager, and will be required to furnish a justified bond in the sum of $1,000, conditioned according to the city ordinance applicable thereto.

"K"

KENNELS, DOG.
Per annum, $50.00.
The keeping of tenor more dogs, including pups over six months old, on the same premises, shall constitute the keepingof a dog kennel.

KNIFE OR CANE BACKS.
See "Cane Backs".

KNIVES.
See "Bowie Knives".

KNUCKLES, BRASS.
See "Bowie Knives".

"L"

LABOR AGENTS, EMIGRATION.
(a) Every person, firm, or corporation, either as agent orprincipal, engaged in soliciting,hiring, and/or contracting with laborers, male or female, in this state, for employment out of the state, shall pay a license tax of, per annum, $100.00
(b) Every person, firm or corporation, who or which engages in the business of securing employment for a person or persons and charging therefor a fee, commission, or other compensation, shall pay a license taxof, per annum, $100.00.
PROVIDED, however, that this section shall not apply to any employment agency operated by the Federal Government, the State, or any County or municipality whose sole business is procuring employees for work in the harvesting of farm crops within the State of North Carolina.

LAND SURVEYOR OR CONTRACTOR.
Annual gross business not over $5,000.00, $25.00,
$5,000 to $25,000. 50.00
Over $25,000,- 75.00.

LAUNDRIES.
Every person, firm, or corporation, engaged in the business of operating a laundry, including wet and/or damp wash laundries, where steam, electricity, or other power is used, shall pay a license taxof,per annum, $75.00.
PROVIDED that any laundry or other concern doing a gross volume of business of less than $100.00 per month, shall pay a license tax of, per annum, $25.00.
PROVIDED, further, that any laundry not employing in excess of three persons shall pay a license tax of, per annum, $25.00.
PROVIDED, also, that this section shall not apply to washerwomen.

LAUNDRY AGENCIES.
Every person, firm, or corporation, engaged in the business of operating a laundry outside of Buncombe County, and soliciting laundry, business in the city of Asheville through agents, shall pay a license tax of, per annum, $50.00.

LAWYERS. Exempt by State Statutes.

LEASING OR SELLING FILMS. Exempt by State Statutes.

LECTURES, PROFESSIONAL.
Each lecture where admission is charged, except where solely for charitable, religious, or educational purposes, $50.00.

LEMONADE-ITINERANT.
See "Balloons".

LEMONADE STANDS.
On public occasions, same as "Soft Drink Stands".



LIFTING MACHINES, BLOWING MACHINES.
Each, per day, $50.00.

LIGHTNING ROD AGENTS.
Each lightning rod dealer having a general office, or selling from a receiving point, shall pay a license tax of, per annum, $10.00.

LINEN SERVICE.
Every person, firm, or corporation, rentingor placing towels or other linen for a rental or on a fee basis, shall pay a license tax of, per annum, $50.00.

LIVERY STABLES.
On every person, firm, or corporation, who keeps horses or mules to hire or let, with or without vehicles, or run a hitch and feed stable, a license tax shall be paid of, per annum, $10.00

LOAN AGENTS OR BROKERS.
Every person, firm, or corporation, engaged in the regular business of making loans or lending money, and accepting liens on, or contracts of assignment of, salaries or wages or any part thereof,or other security or evidence of debt for repayment of such loans in installment payments or otherwise, and maintaining in connection with same any office or other located or established place for the conduct, negotiation, or transaction of such business, and/or advertising or soliciting such business in any manner whatsoever, shall be deemed a loan agency, and shall pay a license tax of, per annum, $100.00.
PROVIDED, that this shall not be construed to apply to banks, industrial banks, trust companies, building and loan associations, now installment paper dealers, as defined in Section 148 of the Revenue Act of 1932. It shall apply to those persons or concerns operating, or commonly known, as loan companies or finance companies, in whose business is as hereinbefore described, and those persons, firm, or corporations pursuing the business of lending money and taking as security for the payment of such loan and interest an assignment of wages, or an assignment of wages with power of attorney to collect same, or other order or chattel mortgage or bill of sale upon household or kitchen furniture.

LOAN COMPANIES.
See "Mortgage Loan Companies".

LUBRICANTS, OIL, ETC.- DEALERS IN.
See "Oils and Gasoline".

LUGGAGE.
(a) Each and every person, firm, or corporation where 75 percent of the gross sales or stock of merchandise carried is luggage, shall pay a license tax of, per annum $25.00.
(b) Each and every person, firm, or corporation, selling luggage, and where less than 75 percentof the sales or stock of merchandise consists of luggage, shall pay a license tax of, per annum, $5.00.

LUMBER-BROKERS ONLY.
Each, per annum, $25.00.

LUMBER DEALERS.
See "Building Materials".

LUNCHES-DRUG STORES.
See "Restaurants".

LUNCH ROOMS AND RESTAURANTS.
See "Restaurants".

LUNCHES-ITINERANTS SELLING
See "Balloons".

LYCEUM BUREAUS AND CHAUTAUQUA BUREAUS.
Each, per annum, $25.00.

"M"

MACHINE SHOPS.
Each, per annum, $15.00.

MACHINE, SLOT- OR SLOT LOCKS.
(a) Every person, firm, or corporation, engaged in operating within the city of Asheville, any slot machine wherein is kept any article to be purchased by depositing any coin or thingof value, or for which may be had any article of merchandise, or any machine wherein may be seen any picture or heard any music by depositing therein any coin or thing of value, or any slot weighing machine, or any machine for making stencils by the use of contrivances operated by depositing in the maching any coin or thing of value, or where any game is played or any lock operated by slot wherein money or thing of value is to be deposited, shall pay for each machine or lock, the following license tax, per annum:
Any such machine that requires a deposit of not more than one cent, $2.50.
Any such machine that requires a deposit of more than one cent and not more than five cents, $5.00,
Any such machine that requires a deposit of more than five cents and not more than ten cents, $10.00,
Any such machine that requires a deposit of more than ten cents and not more than twenty cents, $20.00,
Any such machine that requires a deposit of more than twenty cents, $30.00,
Weighing machines requiring a deposit of one cent, $2.50.
NOT PRORATED.

PROVIDED, the foregoing shall not apply to those items enumerated in Section 199 of the Revenue Act of 1933.

PROHIBITED, however, that this section shall not apply to machines owned and operated by any retail merchant in his own place of business for delivering merchandise of the market value of the coin deposited; nor shall it apply to slot machines from which drinking cups are delivered at not more than one cent per cup.

PROHIBITED, further, that no slot machine or slot lock shall be operated until the license tax is paid thereon and the Tax Collector is hereby authorized to ascertain that the operation of such machineor apparatus is lawful and when the municipal license has been issued for the operation thereof, the sum paid for such municipal license shall not be refunded, notwithstanding that the operation of such machine or apparatus shall afterwards be prohibited.

The operator or owner of each and every slot machine or slot lock shall keep posted in a conspicuous place on the front of such machine, or in a conspicuous place near such machine or slot lock, the tax receipt issued for such machine or slot lock.

MACHINERY.
See "Agricultural Implements and Machinery".

MAKERS OF BONES.
See "Bone Makers".

MANICURISTS.
Resident, per annum, $ 5.00
Itinerant, per annum 50.00.

MANUFACTURERS-MISCELLANEOUS.
Every person engaged in the business of manufacturing any product not taxed under this Schedule, shall pay a license tax of, per annum, $25.00.

MASSAGE ESTABLISHMENTS.
Each, per annum, $50.00
Itinerant, per day 5.00.

MATCHES, WRESTLING.
See "Wrestling and Boxing".

MATTRESS RENOVATORS OR RENOVATORS.
Each, per annum, $25.00.

MEAT.
(a) Every person, firm, or corporation, engaged in the operation of a meat market, shall pay the tax in accordance with the classification hereinafter set forth:
CLASS A.
Meat markets selling 500 pounds or less of fresh meats per week, each per annum, $25.00.
CLASS B.
Meat markets selling 500 pounds of fresh meats per week, each per annum, $50.00.

PROVIDED, that such license tax shall be paid for each meat market operated within the corporate limits of the city of Asheville.

(b) Every person, firm, or corporation, engaged in the wholesale distribution of fresh or cured meats, $50.00,

(c) Every person, firm, or corporation, storing, jobbing, or selling meats of any kind from warehouses within the city limits, $150.00.

PROVIDED, that the provisions of this section shall not apply to persons, firms, or corporations, who have paid the tax levied on packing houses.

NOTE: Meat not having been salted longer than twenty days shall be considered fresh meat, and the license shall be collected as itemized on retail and wholesale dealers of fresh meats. PROVIDED, that from and after the passage of this ordinance it shall be unlawful for any person, firm, or corporation, to operate a meat market without first obtaining a meat market permit from the Health Officer which must be in force during period of operation and a copy of the same must be conspicuously posted at all times within the said market so as to be plainly visible to all customers who may patronize such market.

PROVIDED, further, that the Director of Finance may require at any time an affidavit from the operator of any meat market as to the amount of meat sales he has made during any week, during the tax year, and if during any week of the tax year a meat market in Class A sells more than 500 pounds of meat, then said Class A meat market shall be reported as Class B, and shall be liable for tax in accordance with Class B Schedule.

MEAT DISTRIBUTORS.
Every person, firm, or corporation, distributing and delivering meat at wholesale or retail, and not having a place of business in the city of Asheville, shall pay a license tax of, per annum, $50.00.

PROVIDED, the provisions of this section shall not apply to persons, firms, or corporations, paying packing house license.

MEDICINE SELLERS OR VENDORS.
See "Goods, Wares and Merchandise".
Free shows in connection with the selling of medicines orother merchandise other than licensed theatres or moving picture shows, prohibited within the corporate limits of the city of Asheville.

MENAGERIES.
See "Circuses".



MERCHANTS-ITINERANT.
Itinerant or salesman selling as proprietor or agent in any store, room, goods, wares, or merchandise, on which an itinerant or other tax is not specifically imposed, shall pay a license tax of, per annum, $100.00.
NOT PRORATED.
PROVIDED, that all such sales in any store, room, house, shop, or other place of property is expressly prohibited.
Itinerant merchants, peddlers, or proprietors, conducting sales in tents or fire sales, or any kind of goods, wares, or merchandise, shall pay a license tax of, per week, $100.00.
PROVIDED, however, that no tax shall be collected from trustees or officers of the Bankruptcy Court making sales under Order of Court.

MERCHANTS-MERCHANDISE.
See "Goods, Wares, and Merchandise".

MERCHANTS-TAILORS.
Employing two helpers or less, per annum, $10.00
Employing over two helpers, per annum 25.00.

MERCHANTS AND STOCK BROKERS.
See "Brokers".

MERRY-GO-ROUND OR FLYING JENNY.
See "Riding Devices".

METAL WORKING ESTABLISHMENTS OR TIN SHOPS.
See "Contractors and Construction Companies.

METALLIC CARTRIDGES.
See "Pistols".

METALLIC, BRASS, OR IRON KNUCKLES.
See "Bowie Knives".

MILK PASTEURIZERS AND CREAMERIES.
See "Creameries and Dairies".

MILL SUPPLIES.
Every person, firm, or corporation, selling or distributing mill supplies, shall pay a license tax of, per annum, $100.00.

MILLINERY MERCHANTS.
Every person, firm, or corporation, selling millinery exclusively, shall pay a license tax of, per annum, $15.00.
PROVIDED, that any person, firm, or corporation, selling millinery, but not engaged exclusively in the millinery business, shall pay a license tax of, per annum $ .00.

MINSTREL SHOWS.
See "Pictures".

MONUMENTS OR TOMBSTONES-DEALERS IN.
Every person, firm, or corporation, engaged in the business of erecting, manufacturing, jobbing, selling, or offering for sale monuments, marble tablets, grave stones, or articles of like kind, shall pay a license tax of, per annum, $10.00.

MOP OR BROOM FACTORIES.
Every person, firm, or corporation, manufacturing or assembling mops or brooms, shall pay a license tax of, per annum, $15.00.

MORTGAGE LOAN COMPANIES.
Every person, firm, or corporation, doing a mortgage or loan business in the city of Asheville, and not paying a license tax under any other ordinance herein, shall pay an annual license tax according to the following schedule:
(a) For each $5,000.00 loaned, or less, $5.00,
(b) For all loans in excess of $5,000.00, every person, firm, or corporation shall be required to pay at the rate of $5.00 for each additional $5,000.00 loaned, or fraction thereof.
For the purpose of ascertaining the amount of tax liability to be collected hereunder, every person, firm, or corporation, engaged in the business aforesaid shall render to the Tax Collector of the City of Asheville a properly sworn report showing in detail the amount and/or volume of business done and/or loans made during the preceding three months period.

MOTORCYCLE DEALERS.
See "Automobile, Motorcycles, Motor Vehicles and Garages".

MOTOR VEHICLES FOR HIRE.
1. PASSENGER MOTOR VEHICLES. Every person, firm, or corporation, their lessees, trustees, or receivers, engaged in the business of keeping passenger automobiles or other passenger motor vehicles for hire and/or transportation of persons for compensation, shall first apply for and obtain from the City Manager a "For Hire" license tag for the privilege of engaging in such business, and shall pay for such license the following tax, per annum:
For each vehicle up to and including 7-passenger, $15.00
For each vehicle over 7-passenger, 20.00.
PROVIDED, that this rate shall also apply to passenger motor vehicles operating under schedule where seventy-five percent of the schedule operation is within the corporate limits of the city of Asheville. Where the corporate limits of one or more municipalities join, it shall be treated as one, for the purpose of administering this Section.
2. U-DRIVE-IT PASSENGER CARS AND MOTORCYCLES. Every person, firm, or corporation their lessees, trustees, or receivers, engaged in the business of keeping automobiles, other motor vehicles, or motorcycles, for rent or lease to others, for what is termed "U-Drive-It"

or "Drive-It-Yourself" purposes, for the transportation of persons, shall apply for and obtain from the City Manager a "For Hire" license tag for each such vehicle or motorcycle and shall pay for each such license, the following tax, per annum:

Motorcycles:
1-passenger capacity, $12.00
2-passenger capacity, 15.00
3-passenger capacity, 18.00,
Automobiles:
For each vehicle up to and including 7-passenger, $ 15.00
For each vehicle over 7-passenger, 20.00.

3. SIGHT-SEEING AND EXCURSION PASSENGER CARS. Every person, firm, or corporation, their lessees, trustees, or receivers, engaging in the business of keeping automobiles for the purpose of transporting persons on sight-seeing or travel tours, shall apply for and procure from the City Manager a "For Hire" license tag for the privilege of engaging in such business, and shall pay for such license the following tax per annum:

On each vehicle up to and including 7-passenger, $ 15.00
On each vehicle over 7-passenger, 20.00

4. SHORT HAUL TRUCKS. Every person, firm, or corporation, their lessees, trustees, or receivers, engaged in the business of keeping property-carry automobiles or other property-carry motor vehicles, trucks, tractors, trailers, or semi-trailers for rent, lease, and/or hire, or operating motor vehicles, trucks, and/or tractor on call, pre-arrangement, contract, lease, or other agreement, or otherwise, for the transportation of property for compensation, within a seventy-five mile radius or residence, shall apply for and obtain from the City Manager a "For Hire" license tag for the privilege of engaging in such business, and shall pay for such license, the following tax, per annum:

For each vehicle, per annum $ 20.00
For each such motor-propelled vehicle, truck, tractor, trailer, or semi-trailer, per annum, $20.00

5. LONG HAUL TRUCK. Every person, firm, or corporation, their lessees, trustees, or receivers, engaged in the business of operating automobiles or other motor vehicles, trucks, tractors, trailers, or semi-trailers, for the inter-county transportation of property over the public highways of this state for compensation, orupon the call, pre-arrangement, contract, rent, lease, or other arrangement, shall apply for and procure from the City Manager a "For Hire" license tag for the privilege of engaging in such business, and shall pay for such license the following tax:

For each vehicle, per annum $ 20.00
PROVIDED, however, that where a delivery service is given, under any of the sub-sections of this heading, an additional tax shall be paid as provided for "Delivery Agencies".

MOVING, DEMOLISHING, OR WRECKING HOUSES OR OTHER STRUCTURES.
Every person, firm, or corporation, engaged in the business of moving, demolishing, or wrecking houses or other structures, shall pay a license tax of, per annum, $25.00.

MOVING PICTURES OR VAUDEVILLE SHOWS.
On each room, hall, tent, or air-dome used as a moving picture or vaudeville show, an annual license tax as follows shall be paid:

On each place having a seating capacity of less than 500, $ 125.00
On each place having a seating capacity of 500 and less than 1,000, 175.00
On each place having a seating capacity over 1,000, 212.00

PROVIDED, any moving picture show operating more than two (2) miles from the business center of the city of Asheville (for the purpose of this provision the term "business center" being defined as the intersection of the two principal business streets of the city of Asheville), the territory in which such moving picture show is located having been annexed to such city subsequent to January 1, 1923, the license tax shall be per annum, $75.00.

MOVING VANS, DRAYS, TRANSFER COMPANIED.
See "Motor Vehicles for Hire".

MULTIGRAPHS, MIMEOGRAPHS-DEALERS IN. Exempt by State Statutes.

MULTIGRAPH SHOPS.
Every person, firm, or corporation, multigraphing or mimeographing letters, advertisements or other documents for compensation, shall pay a license tax of, per annum, as follows:

1 operator $ 10.00
2 operators, 15.00
More than 2 operators, $25.00.

"N"

NEWS PEDDLERS ON TRAINS. Exempt by State Statutes.

NEWSPAPERS.

Daily, morning, $ 100.00
Daily, afternoon 100.00
Weekly 35.00
Monthly 15.00

PROVIDED, that where any newspaper company prints, in addition to its newspapers, circulars or other printed matter, the tax levied under "Printing Establishments" shall also be paid.

NEWSPAPER CONTESTS. Exempt by State Statutes.

NEWS STANDS.
Per annum, $2.50.

NEWS STANDS ON STREETS OR SIDEWALKS
Prohibited.



NEWSPAPER OR MAGAZINE DISTRIBUTORS.
Per annum, $25.00.

NURSERIES.
Every person, firm, or corporation, operating a nursery, or selling or displaying for the purpose of advertisement or sale nursery products, shall pay a license tax of, per annum, $25.00.

"O"

OCULISTS. Exempt by State Statutes.

OFFICE EQUIPMENT.
Every person, firm, or corporation, engaged in the business of selling office equipment or supplies, shall pay a license tax of, per annum, $25.00.

OIL, FUEL.
See "Fuel Oil".

OILS AND GASOLINE.
(a) Every person, firm, or corporation, engaged in the business of selling illuminating or lubricating oils or greases; or benzine, naptha, gasoline, or other products of like kind from an agency, station, or warehouse, for thedistribution or sale of the aforementioned commodities as defined in Section 147 of the Revenue Act of 1933, shall pay a license tax of, per annum, $50.00.
PROVIDED, that this shall apply only to agencies or warehouses in the city of Asheville engaged in the distribution or sale of the commodities enumerated.
(b) Every person, firm, or corporation, engaged in the business of selling illuminating or lubricating oils or greases, or benzine, naptha, gasoline,or other products of like kind, who do not maintain an agency, station, or warehouse, within the city of Asheville, shall pay a license tax of, per annum, $50.00.
(c) Every person, firm, or corporation, engaged in thebusiness of re-conditioning or refining oils, shall pay a license tax of, per annum, $20.00.

OPERAS.
See "Chautauquas".

OPTICAL SUPPLIES.
Every person, firm, or corporation, selling optical goods or supplies at wholesale, shall pay a license tax of, per annum, $150.00,
At retail, per annum, $50.00.
PROVIDED, however, that the foregoing tax shall not be collected from duly licensed practicing physicians, optometrists, or oculists.

OPTICIANS. Exempt by State Statutes.

OPTOMETRISTS. Exempt by State Statutes.

ORDERS-FRATERNAL. Exempt by State Statutes.

ORGANS, PIANOS AND PHONOGRAPHS.
Every person, firm, or corporation, engaged in the business of selling, offering, or ordering for sale, any of the articles hereinafter enumerated, shall pay for the privilege of conducting such business, a special license tax, per annum, as follows:
For pianos and/or graphophones, radios or radio accessories, victrolas, or other instruments using disc or cylinder records, and/or the sale of records for either or all ofthese instruments, $5.00.
For each traveling representative or agent for the sale of pianos and/or graphophones, radios, or radio accessories, victrolas, or other instruments using disc or cylinder records, and/or the sale of records for either or all of these instruments $5.00.

ORGAN AND PIANO TUNERS OR REPAIRERS.
Organ or piano tuners or repairers, per annum, $5.00
Itinerant, per annum, $50.00.

ORIENTAL GOODS OR ANTIQUE FURNITURE.
See "Antique Furniture".

OSTEOPATHS. Exempt by State Statutes.

OYSTER AND FISH DEALERS.
See "Fish and Oyster Dealers".

"P"

PACKING HOUSES.
Every person, firm, or corporation, engaged in or operating a meat packing house, and every wholesale dealer in meat packing house products, who owns, leases, or rents and operates a cold storage warehouse in connection with such wholesale business, shall pay for each such packing house or cold storage warehouse, a license tax of, per annum, $150.00

PAINTING CONTRACTORS.
Painting contractors, resident, employing no workmen, each, per annum $4.00
Employing one workman, each, per annum, $5.00
Employing two workmen, each, per annum, 6.00
Employing three workmen, each, per annum 7.00
Employing four workmen, each, per annum, 8.00
Employing five workmen, each, per annum, 9.00
Employing six workmen, each, per annum, 10.00
Painting contractors, itinerant, a tax equal to three times the tax charged resident contractors.

PAINT DEALERS.
Every person, firm, or corporation, selling or distributing paint, calcimine, ... products, shall pay a license tax of, per annum, $25.00.

PAPER ... PRODUCTS.
Every person, firm, or corporation, engaged in the sale or distribution of paper or paper products, ... twenty percent or more of their business is the sale or ... shall pay a license tax of, per annum, $50.00

PARKING LOTS.
Every ... lot used for a public parking place for profit, where ... , shall be paid a license tax of, per annum, $5.00.

PASTEURIZED MILK.
Each establishment shall pay a license tax of, per annum, $100.00
... tax is not collectable where creamery tax is paid.

PATENT OR PROPRIETARY MEDICINES.
Every person, firm, or corporation, offering for sale any patentor formula ... license tax of, per annum, $10.00.

PAVING, CURBING, SIDEWALK, CEMENT, OR STORM SEWERS.
See "Contractors".

PAWN BROKERS.
See "Brokers, Pawn".

PEANUT OR POPCORN ROASTERS.
Every person, engaged in the business of operating any peanut or popcorn ... shall pay a license tax of, per annum, $10.00.
Provided, that where a peanut or popcorn roaster or stand is operated in connection with ... other business, the license tax shall only be, per annum, $5.00.

PEDDLERS OF BOOKS.
See "Book Agents".

PEDDLERS-GENERAL
See "Goods, Wares, and Merchandise".

PEDDLERS OF TINWARE OR WILLOWWARE.
See "Goods, Wares, or Merchandise".

PEDDLING.
See "Goods, Wares, and Merchandise". also "Fruits and Produce".

PEDDLING FISH.
Prohibited.

PENNY ARCADES OR PARLORS.
See "Arcades".

PEPSI-COLA BOTTLING WORKS.
See "Bottling Works".

PERFUMES AND TOILET ARTICLES, COMPACTS, LIPSTICKS, ETC.
Every person, firm, or corporation, selling perfume, cologne, toilet water, bath salts, compacts, lip sticks, or other toilet articles, shall pay a license tax of, per annum, $2.50.

PET SHOPS.
Every person, firm, or corporation, operating a shop usually known as a "pet shop", or place of business where pets such as dogs, monkeys, cats, birds, fish, white mice, and/or other pets by whatsoever name called, are sold, shall pay a license tax of, per annum, $10.00

PHONOGRAPHS.
See "Organs".

PHOTOSTAT DEALERS.
Every person, firm, or corporation, making photostatic reproductions, or engaged in the business of making photostatic copies for sale, shall pay a license tax, per annum, of $25.00.

PHRENOLOGIST.
Per annum, $50.00
PROVIDED, that each phrenologist has paid the State tax under Section 116 of the 1933 Revenue Act.

PHYSICIANS. Exempt by State Statutes.

PIANO OR ORGAN REPAIRERS OR TUNERS.
See "Organ Repairers or Tuners".

PICTURE MACHINES-ADVERTISING BY USE OF.
See "Advertising by Use of Picture Machines".

PICTURES,MOVING.
See "Moving Pictures".



PICTURES, TRAVELING, MOVING, TRAVELING THEATRICAL, VAUDEVILLE, OR TRAVELING MINSTREL SHOWS.
Every person, firm, or corporation, engaged in the business of a traveling theatrical, traveling moving picture, and/or traveling vaudeville company, giving exhibitions or performances in any hall, tent, or other place not duly licensed as a theatre, moving picture or vaudeville house, for the privilege of engaging in such business, shall pay a license tax of $25.00 for each day or part of a days exhibits or performances.
PROVIDED, that:
(a) Artists, exhibiting paintings or statuary work of their own hands, shall only pay $2.00.
(b) Such places of amusements as do not charge more than a total of fifty cents for admission at the door, including reserved sear, and shall perform or exhibit continuously in any given place as much as one week, shall be required to pay $25.00 for the first day, and a total of $25.00 for the next succeeding five days or any part thereof, and $30.00 per week or any part thereof thereaf terwards.
PROVIDED, however, where such amusement company holds an annual state-wide license, as provided under Section 103 of the 1933 Revenue Act, such company shall pay $20.00 per week or part of week.
Application for permit to exhibit must be made in the samemanner as herein required of a circus, and no performance shall be given unless permit is granted.

PIPE OR CEMENT BLOCKS.
See "Cement Blocks".

PISTOLS.
Every person, firm, or corporation, who is engaged in the business of keeping in stock, selling, and/or offering for sale any of the articles or commodities hereinafter enumerated, shall pay the following tax, per annum:
(a) For pistols, $50.00
(b) For bowie knives, dirks, daggers, sling-shots, loaded canes, iron or metallic knuckles, or articles of a like kind, $200.00
(c) Blank cartridge pistols, $200.00.
PROVIDED, however, that if such person, firm, or corporation deals only in metallic cartridges, the tax shall be, per annum, $10.00

PLACARDS IN STREET CARS.
See "Advertising-Placards".

PLUMBING CONTRACTORS.
See "Electrical Contractors".

PLUMBING SUPPLIES.
Every person, firm, or corporation, selling plumbing supplies, shall pay a license tax of, per annum, (wholesale), $100.00
PROVIDED, where any person, firm, or corporation, sellingplumbing supplies at retail, and where the contractor's license for installation is not paid, shall pay a license tax of, per annum, $50.00.

POLES, CROSS-TIES, LOGS, OR SIMILAR ARTICLES.
See "Buying and Shipping of".

PONY AND DOG SHOWS.
See "Circuses".

POOL ROOMS.
See "Billiards".

POULTRY AND/OR EGGS.
Every person, firm, or corporation, buying or selling poultry and/or eggs, at wholesale, shall pay a license tax of, per annum, $50.00

POWER, GAS, AND ELECTRIC LIGHT COMPANIES.
See "Electric Light Companies".

PRESSING CLUBS, DRY CLEANING PLANTS, AND HAT BLOCKERS.
Every person, firm, or corporation, engaged in the business of pressing and/or dry cleaning any articles of clothing, re-shaping, cleaning, and/or re-blocking any hats, shall pay a license tax of, per annum, as follows:

| | |
|---|---|
| (a) Where not more than three persons are employed, | $ 10.00 |
| (b) Where more than three persons and not more than six persons are employed, | 25.00 |
| (c) Where more than six persons are employed, | 40.00. |

PRINTED ADVERTISEMENTS, SIGN TACKING, ETC.
See "Advertising-Distributors of Samples".

PRINTING AGENTS.
See "Agents, Not Specifically Taxed".

PRINTING ESTABLISHMENTS.
Every person, firm, or corporation, operating a printing press, whether part time or not, or whether employing a helper or not, shall pay a license tax of, per annum, $10.00

| | |
|---|---|
| Without bindery, employing one workman, per annum, | $ 10.00 |
| Without bindery, employing two workmen, per annum | 15.00 |
| Without bindery, employing more than two workmen, per annum | 25.00. |
| With bindery, per annum $30.00 | |

PRODUCE AND FRUITS.
See "Fruits and Produce".

PROFESSIONAL ART-HEALING. Exempt by State Statutes.

PROFESSIONAL LECTURERS.
See "Lectures".

PUBLIC ANNOUNCEMENTS OF ADVERTISEMENTS BY USE OF BRASS BANDS, ETC.
See "Advertising".

PUBLIC SERVICE AUTOMOBILES.
See "Motor Vehicles for Hire".

PUBLIC STENOGRAPHERS.
Every person, firm, or corporation, engaged in public stenographic work, shall pay a license tax, for each person so engaged, of $2.50 per annum.

"Q"

QUARRY,ROCK.
(a) On each rock quarry, a license tax shall be paid of, per annum, $75.00
(b) Every person, firm, or corporation, hauling or delivering rock quarry [illegible] in the city ofAsheville, not having paid the tax under sub-section (a), and not having a quarry within the city of Asheville, shall pay the following tax:
On each truck of two-ton capacity or less, per annum $ 50.00
On each truck of more than two-ton capacity, per annum, 75.00.

QUEENSWARE CHINA.
See "China and Queensware".

"R"

RACKS FOR KNIVES OR CANES.
See "Cane Racks".

RADIO BROADCASTING OR RADIO INSTRUMENT ACCESSORIES.
See "Organs," etc.

REAL ESTATE BROKERS.
Per annum, $20.00.
A real estate broker within the meaningof this ordinance is any person, firm, partnership, co-partnership, association, or corporation, who for a compensation or valuable consideration sells or offers for sale, buys, or offers to buy, or negotiates the purchase or sale or exchange of real estate, or who leases or offer to lease, or rents or offers for rent, any real estate or the improvements thereon for others, as a whole or partial vocation.

REAL ESTATE SALESMEN.
Per annum, $5.00.
A real estate salesman within the meaning of this ordinance is any person who for a compensation or vluable consideration is employed wither directly or indirectly by a real estate broker to sell or offer to sell, or to buy or offer to buy, or to negotiate the purchase or sale or exchange of real estate, or to lease, to rent, or offer for rent any real estate, or to negotiate leases thereof or of the improvements thereon, as a whole or partial vocation.

REAL ESTATE AUCTIONEERS.
See "Auctioneers".

RELIGIOUS ENTERTAINMENTS.
See "Charitable Entertainments".

REPAIR SHOPS.
Any repair shops operating in the City of Asheville, by whatsoever name called, not elsewhere specifically licensed or taxed in this ordinance, shall pay an annual license tax as follows:
Working one workman, $5.00
Working one to three workmen, 10.00
Working three workmen or more, 15.00.

REPAIR SHOPS-CABINET.
See "Cabinet Repair Shops".

REPAIR SHOPS-CARRIAGE.
See "Carriage Repair Shops".

REPAIRING OR MANUFACTURING OF HARNESS OR SHOES.
See "Harness or Shoe Repairers".

REPAIRING OF TUNING OF ORGANS OR PIANOS.
See "Organ Tuners".

RESTAURANTS, LUNCH ROOMS, HOTEL DINING ROOMS, OR DRUG STORES.
(a) Every person, firm, or corporation, engaged in the business of operating a restaurant, cafe, cafeteria, hotel with dining service on the European Plan, drug store, or otherplace where prepared food is sold, shall pay an annual license tax based on the number of persons provided for with chairs, stools, or benches, and shall be 50¢ per person, with a minimum tax of $2.50.
(b) All other stands or places where prepared food is sold as a business, and drug stores, service stations, and other stands or places where prepared sandwiches only are served, shall pay an annual license tax of $3.75.



RIDING DEVICES.
Every person, firm, or corporation, engaged in the operation of [illegible] table, merry-go-round, flying jenny, ferris wheel, whip, tango swing, caterpillar, tumble-bug, hobby-horse, switchback railway, shootin gallery, skating rink, or other amusement devices of a like kind, or a place for other games or play with or without game (unless used solely and exclusively for private amusement and exercise), at a permanent licensed place, shall procure a special license for the privilege of operating the objects of amusement, and shall pay for each such object [illegible] the following tax, per annum $15.00.

ROOMS OR HALLS USED AS THEATRES.
See "Halls".

ROOTS AND HERBS.
Every person, firm, or corporation, buying or selling roots, herbs, or other medicinal plants, shall pay a license tax of, per annum, $100.00.

RUBBER STAMPS.
Every person, firm, or corporation, engaged in the exclusive business of manufacturing rubber stamps, stencils, and seals, where 50 percent of the business is derived from the manufacture of such articles, shall pay a license tax of, per annum $15.00.

"S"

SAMPLE AND SIGN DISTRIBUTORS, ETC.
See "Advertising".

SAW DEALERS, AGENCIES, OR SALES OFFICES.
Per truck, $25.00.

SANDWICHES AND LUNCHES-DRUG STORES.
Sandwiches, Wholesale, per annum, $15.00,
Sandwiches, Retail, per annum [illegible].75.

SCALE DEALERS.
Each dealer in, or agent for, shall pay a [illegible] tax of, per annum, $10.00.

SECOND-HAND AUTOMOBILE EQUIPMENT.
See "Automobile Equipment -Used Parts".

SECOND-HAN CLOTHING.
See "Clothing-Second-Hand".

SECURITY DEALERS.
(a) Every person, firm, or corporation, who or which is engaged in the business of dealing in securities as defined in Section 132 of the Revenue Act, or who or which maintains a place for or engages in the business of buying and/or selling shares of stock in any corporation, bonds, or any other securities on commission or brokerage, shall pay forthe privilege of transacting such business, a license tax of, per annum, $50.00.
(b) PROVIDED, every dealer as defined [illegible] companies, shall pay a license tax for the privilege of transacting such business at each office.

(c) If every such person, firm, or corporation, described in sub-section (a) thereof maintains and/or operates a leased or private wire and/or ticker service in connection with such business, the annual license tax on the private wire or ticker service shall be, $50.00.

SEWERS, GRADING, PAVING, SIDEWALKS, OR STORM SEWERS.
See "Contractors".

SEWER PIPE.
Every person, firm, or corporation, selling sewer pipe, shall pay a license tax, per annum, of $50.00
No tax collected hereunder where sale in material [illegible] electrical contractor, plumber, steam and gas fitter tax is collected.
(See "Electrical Contractors"., etc.).

SEWING MACHINE AGENTS. Exempt by State Statutes.

SHIPPING AND BUYING TELEPHONE POLES, CROSS-TIES, LOGS, OR SIMILAR ARTICLES.
See "Buying and Shippingof".

SHOE OR HARNESS MANUFACTURERS OR REPAIRERS.
See "Harness Manufacturers".

SHOE SHINE PARLORS.
See "Bootblack Stands".

SHOE MERCHANTS.
Every person, firm, or corporation, engaged in the business of selling shoes, shall pay a license tax, per annum, as follows:
Where 75% of the business is derived from the sale of shoes, $15.00,
Where less than 75% of the business is derived from the sale of shoes, $5.00.

SIDEWALK, GRADING, PAVING, SEWERS, OR STORM SEWERS.
See "Contractors".

SIGN PAINTING.
On any sign painting contractors not employing any workmen, each per annum, $10.00.
On any sign painting contractors employing two workmen or less 15.00.
Two or four workmen, $20.00,
Four to six workmen, 25.00,
Six or more workmen, 30.00
Itinerant sign painters, per annum, $100.00.

SIGN TACKING, PAINTING & WHITEWASHING, ETC.
See "Advertisements".

SILVER PLATING.
Every person, firm, or corporation, engaged in the business of silver plating shall pay a license tax of, per annum, $25.00.

SKATING RINKS.
See "Halls for Devices".

SLOT MACHINES. Prohibited.

SODA KNIVES.
See "Bowie Knives".

SODA WATERS.
See "Waters, Soda".

SODA WATER SUPPLIES.
Every person, firm, or corporation, selling or distributing fruits, syrups, or other supplies used at a soda fountain, where fifty percent of the gross sales or stock in trade consists of fruits, syrups, or other supplies used at a soda fountain, shall pay a license tax of, per annum, $50.00.

SODA WATER.
See "Fountains, Soda".

SOFT DRINKS-BOTTLING OF.
Every person, firm, or corporation, selling bottled soft drinks, a license tax shall be paid of, per annum, $2.50.

SOUVENIRS-ITINERANTS SELLING.
See "Balloons".

SPIRITS.
See "Drinks, also "Bottling Companies".

SOUVENIR SHOPS.
See "Gift and Souvenir Shops".

SOUVENIRS-ITINERANTS SELLING.
See "Balloons".

SPORTING GOODS. Exempt by State Statutes.

SPICES AND FLAVORING EXTRACTS.
See "Goods, Wares, and Merchandise".

STABLES-LIVERY.
See "Livery Stables".

STAMPS, RUBBER.
See "Rubber Stamps".

STANDS, BOOT BLACK.
See "Boot Black Stands".

STANDS, FRUIT.
See "Fruit Stands".

STANDS, SPEAKING-PUBLIC OCCASIONS.
See "Lemonade Stands".

STAR COURSES.
See "Chautauquas".

STATIONS, GASOLINE OR MOTOR CLEANING.
See "Automobile Service Stations".

STEAM SHOVELS.
On each and every steam, gas, or motor driven shovel operated in the city of Asheville, a license tax shall be paid of, per annum, $25.00.
NOT PRORATED.

STEAM AND GAS FITTERS.
See "Electrical Contractors", etc.

STENOGRAPHERS, PUBLIC.
See "Public Stenographers".

STOCK BROKERS.
See "Brokers, Stock".

STOCK YARDS OR PENS.
Every person, firm or corporation, operating or maintaining a yard or pen where live stock is loaded, unloaded, fed, or watered, shall pay on each year or pen a license tax of, per annum, $250.00.
PROVIDED, that any person, firm, or corporation, conducting a live stock exchange or market, or engaging in the business of purchasing and re-selling live stock at auction or otherwise, and/or receiving and shipping live stock, shall pay, on each yard, a license tax of, per annum, $50.00.
PROVIDED, further, that the provisions of this tax shall not be collected of packing houses, operating or maintaining a stock year or pen, who have paid the prescribed tax on packing houses.



STOCK EXCHANGE, MERCHANDISE BROKERS.
See "Brokers, Merchandise and Stock".

STORAGE OR TRANSFER WAREHOUSES.
Where a charge is made for storing, per annum, $100.00.

STOCK OWNERS, GRAZING, PENNING, WATERING OF.
See "Contractors".

STOVES, RANGES-INSTALLATION.
Every person, firm, or corporation, selling gas or other water heaters, ranges, stoves, or other similar appliances, and engaging in connecting same with gas or other water mains in the city of Asheville, shall pay a license tax of, per annum, $25.00.
It shall be unlawful for any person, firm, or corporation, to install any stoves, gas or other water heaters, ranges, or other similar appliances in connection with gas or water mains in the city of Asheville, unless such installation is made by a plumber licensed under the provisions of the plumbing ordinance.

STREET CARS-ADVERTISING BY USE OF PLACARDS.
See "Advertising".

SODA.
See "Tea, Coffee and Sugar".

SUPPLIES FOR TYPEWRITER MACHINES.
Agents or dealers in supplies for typewriting machines, shall pay a license tax of, per annum, $25.00.

SURGEONS-VETERINARY. Exempt by State Statutes.

SWITCHBACK, RAILROAD OR ROLLER COASTER.
See "Riding Devices".

SYRUP-TABLE.
Every person, firm, or corporation, manufacturing table syrup, shall pay a license tax of, per annum:
Where employing one person, $ 10.00
Where employing two persons, 15.00
Where employing more than two persons, 25.00

"T"

TAILORS,MERCHANT.
See "Merchants, Tailors".

TALKING MACHINES.
See "Organs, Pianos, and Phonographs".

TANNERIES.
Each, per annum, $150.00

TEA, COFFEE AND SUGAR.
Every person, firm, or corporation, engaged in the business of selling tea, coffee, and sugar, where 50% of the business is derived from the sale of tea, coffee, and sugar, shall pay a license tax of, per annum, $10.00.

TELEGRAPH COMPANIES.
Every person, firm or corporation, domestic or foreign, maintaining and operating the apparatus necessary to communication by telegraph within the corporate limits of the city of Asheville, shall pay a license tax of, per annum, $100.00.

TELEPHONE ADVERTISING.
Every person, firm or corporation, selling space in telephone directories, shall pay a license tax of, per annum, $100.00.

TENTS OR AWNINGS.
See "Awnings".

THEATRES.
On each room or hall used as a theatre, opera house, or other similar place, theatres, where public exhibition or performances are given for profit, shall pay a license tax of, per annum, $212.50.
NOT PRORATED.

THEATRICAL COMPANIES, MOVING PICTURES OR TRAVELING VAUDEVILLE.
See "Traveling Moving Pictures".

THEATRICAL EXHIBITIONS.
See "Exhibitions, Entertainments, also Pictures".

TILE SETTERS.
Every person, firm or corporation, engaged in the business of setting tile, shall pay a license tax of, per annum, $15.00.

TIN SHOPS OR SHEET METAL WORKING ESTABLISHMENTS.
See "Contractors and Construction Companies".

TIRE DEALERS.
See "Automobile Service Stations".

TITLE [illegible].
Every person, firm, or corporation, engaged in the business of guaranteeing or insuring titles, shall pay a license tax of, per annum, $25.00.

TOBACCO, CIGARETTES, ETC.
See "Cigars, Cigarettes", etc.

TOBACCO WAREHOUSE.
Every person, firm or corporation, engaging in the business of operating a warehouse for the sale of leaf tobacco upon commission, shallpay an annual license tax of [illegible] Hundred of $10.00.

TOILET ARTICLES.
See "Perfumes", etc.

TOILET ARTICLES-PEDDLERS OF.
See "Goods, Wares, and Merchandise".

TOMBSTONES AND MONUMENTS.
See "Monuments".

TOURIST CAMPS.
Per annum, $5.00.

TOYS.
Every person, firm, or corporation, selling or distributing toys, shall pay a license tax of, per annum, $5.00.

TRADE PAPERS.
See "Printing Establishments".

TRADING STAMPS, DEVICES, ETC.
See "Devices".

TRANSFER COMPANIES.
See "Drays".

TRANSFER AND STORAGE WAREHOUSES.
See "Storage Warehouses".

TRANSPORTATION BUREAUS OR AGENCIES.
Every person, firm, or corporation, engaged in the business of conducting a transportation bureau or agency, shall pay an annual license tax of $10.00.
PROVIDED, this shall not apply to any agency of a charitable organization maintained not for profit.

TRAVELING CIRCUSES.
See "Circuses".

TRAVELING THEATRICAL OR MOVING PICTURE COMPANIES.
See "Pictures, Traveling".

TUNING PIANOS AND ORGANS.
See "Organ and Piano Tuners".

"U"

UNDERTAKERS, PASSENGER CARS AND TRUCKS
See "Motor Vehicles for Hire".

UNDERTAKERS.
See "Caskets and Coffins".

UMBRELLA REPAIRERS.
Every person engaged in the business of repairer of umbrellas, shall pay a license tax of as follows:
If not more than one person is employed, per annum, $ 5.00
If more than one person is employed, per annum 10.00.

UPHOLSTERING.
Every person, firm or corporation, engaged in the business of upholstering or repairing furniture, shall pay a license tax of, per annum, $15.00.
PROVIDED, this tax shall not be collected from persons, firms, or corporations paying a tax on furniture stores.

USED AUTOMOBILE EQUIPMENT.
See "Automobile Equipment, Used Parts".

"V"

VANS FOR MOVING, DRAYS, ETC.
See "Drays".

VAUDEVILLE COMPANIES, TRAVELING THEATRICAL COMPANIES, ETC.
See "Moving Pictures", also "Pictures".

VEHICLES OR WAGONS-ADVERTISING WITH.
See "Advertising".

VEHICLES, MOTOR.
See "Motor Vehicles".

VETERINARY SURGEONS. Exempt by State Statutes.

VICTROLAS AND GRAPHOPHONES.
See "Organs, Phonographs". etc.



VULCANIZING.
See "Automotive Service".

"W"

WAGONS OR VEHICLES WITH THROUGH STREET [illegible]
See "Advertising".

WALKING ABOUT STREETS DISPLAYING SIGNS.
Each and every person, firm, or corporation, [illegible] the streets and display, for the purpose of advertising, [illegible], shall pay a license tax of, per day, $2.00.
NOT PRORATED.

WASHING MACHINES. Exempt by State Statutes.

WATERMELONS-SLICED OR CUT.
On each and every person, firm, or corporation, selling [illegible] sliced or cut watermelon, shall be paid a license tax of, per annum, $10.00.
NOT PRORATED.
The foregoing tax shall not be collected from restaurants or [illegible] have paid the prescribed tax, and all sales shall be subject to [illegible] food handling establishments.

WEIGHING MACHINES.
See "Machines, Slot".

WELDING SHOPS.
Every person, firm, or corporation, [illegible] shall pay a license tax of, per annum, $15.00.

WIENER STANDS, HOT-DOGS, AND WIENERS.
See "Restaurants".

WILD WEST SHOWS.
See "Circuses".

WINDOW CLEANERS.
Every person, firm, or corporation, [illegible] cleaning floors, or general housecleaning, shall pay a license tax of, per annum:
Where employing one person, $ 10.00
Where employing two persons, 15.00
Where employing more than two persons, 20.00

WOOD, KINDLING-CHEMICAL.
(a) Every person, firm, or corporation, selling wood for fuel purposes, shall pay a license tax of, per annum, $5.00.
(b) Every person, firm or corporation, [illegible] license tax of, per annum, $50.00.

WOOD YARDS.
Saw operated by pwer, per annum $ 25.00
Saw operated by hand, per annum 5.00.

WOOLEN MILLS.
Every person, firm, or corporation, operating a mill [illegible] shall pay a license tax of, per annum, $100.00.

WRESTLING AND BOXING.
Every promotor or exhibitor of any wrestling or boxing, [illegible] charge is made, shall pay a license taxof, for each exhibition [illegible], $5.00.

"Y"

YEAST.
Every person, firm, or corporation, selling [illegible] shall pay a license tax of, per annum, $150.00

"MISCELLANEOUS".

ALL BUSINESSES, TRADES, PROFESSIONS, GAMES, DEVICES, OR THINGS [illegible] FOR PROFIT OR GAIN, NOT TAXED HEREIN.
Per annum, $25.00
Per quarter 15.00
Per month 10.00
Per day. 5.00.

Section 18.

Any person who shall willfully make any false statement in an application for license in any section of this ordinance or schedule, shall, upon conviction, be liable for penalty of fifty ($50.00) dollars.

Section 19.

All ordinances or parts of ordinances in conflict with this ordinance are hereby repealed; provided, that such repeal shall in no way affect any rights heretofore acquired for the collection of any tax heretofore levied or assessed, or the validity of any sales for taxes heretofore made, or any right heretofore acquired under any ordinance of the City.

Upon the adoption of the foregoing ordinance, this the 15th day of June, 1933.

John E. Baumberger
COUNCILMAN

PROPOSED BY: Ernest H. Miller
COUNCILMAN

Read, approved, and adopted by the Council June 15, 1933, with 8 members of the Council present voting "Aye"; read, approved, and adopted by the Council on second reading, June 29, 1933, with 8 members of the Council present voting "Aye"; and upon the third reading approved and adopted on July 6, 1933, with 9 members of the Council present voting "Aye". This ordinance shall become effective July 21, 1933.

Wickes Wamboldt
MAYOR

E. G. Thompson
CITY CLERK.

APPROVED AS TO FORM:
C. E. Blackstock
CORPORATION COUNSEL.

There being no further business, the meeting, on motion, adjourned.

Wickes Wamboldt
Mayor.

E. G. Thompson
City Clerk.



Thursday, July [illegible], 1933 - 4:00 P. M.

The City Council met in regular session; Mayor Wamboldt presiding. Present: Councilmen A. C. Avery, John E. Baumberger, Plato Boyd, E. F. Brookshire, Charles B. Cox, Joseph W. Little, Ernest H. Miller and Wickes Wamboldt, and Corporation Counsel C. E. Blackstock. The minutes of the previous meeting were read and approved.

Mr. Robert A. Wright, member of the Asheville school board, presented a petition which was passed [illegible] to levy a supplemental [illegible] for school purposes [illegible], and to hold an election to [illegible] said levy.

It was moved by Councilman Miller, seconded by Councilman Little, voted on and unanimously carried, that a committee of three be appointed to confer with the Corporation Counsel to consider the legal authority of the Council in connection with said election for school taxes, and to obtain all possible information concerning said election, and to make a report to the Council as a committee of the whole.

Mayor Wamboldt appointed Councilmen Miller, [illegible] Brookshire on said committee.

Councilman Boyd, Chairman of the Committee appointed to confer with the Corporation Counsel relative to the appropriation of Federal funds to be spent on highways in municipalities, reported that [illegible] Federal funds had been [illegible] for the purpose in Asheville [illegible] department will make [illegible] shortly.

Councilman Little made a report for the Traffic Committee, on the [illegible] tentative motor bus ordinance as information [illegible] Council.

Corporation Counsel, C. E. Blackstock [illegible] mufflers on motor vehicles.

It was moved by Councilman Avery, seconded by Councilman [illegible] and unanimously carried, that the Corporation Counsel be [illegible] ordinance regulating [illegible] zones in the vicinity of hospitals [illegible].

On motion of Councilman Little, [illegible] entitled An ordinance relating to the [illegible] its first reading.

It was moved by Councilman [illegible] be suspended this ordinance be placed on its [illegible] reading.

The rules were suspended by a two-thirds vote [illegible] was immediately put upon its passage [illegible] voting voted in the affirmative on roll call:

Councilmen Avery, Baumberger, Boyd, [illegible]. The ordinance was adopted [illegible].

ORDINANCE [illegible].

AN ORDINANCE [illegible].

BE IT ORDAINED by the City Council of the City of Asheville:

SECTION 1. That [illegible] shall be held [illegible] of the Civil Service Board, [illegible] of Chapter [illegible] of the Private Laws of North Carolina, 1931, or [illegible] the Civil Service Board.

SECTION 2. The said [illegible] shall be open for the filing of [illegible] until 4 o'clock, P. M., on the [illegible] and no application [illegible] Civil Service Board [illegible] Private laws of 1931, shall be entitled [illegible] of the Civil Service Board, [illegible].

SECTION 3. The City Manager shall provide a [illegible] shall provide a clerk to take and preserve [illegible] ballots cast at such election, and when the balloting is closed, [illegible] deposited shall be opened by the said clerk in the presence of the Civil Service Board, and the votes shall be counted and the person receiving a majority of the votes cast shall be declared to be elected [illegible] Civil Service Board, for the term of office specified in the City Charter.

SECTION 4. It shall be the duty of the election clerk hereinbefore [illegible] roll of the names of those voting, the same to be checked [illegible] list of said employees. It will further be the duty of the [illegible] to furnish to each one present at the ballot box suitable tickets upon [illegible] allowed to write the name of one person for whom he [illegible].

SECTION 5. That Ordinance #150 passed on the 31st day of May 1931, [illegible].

SECTION 6. In the event that two persons are balloted upon in the [illegible] shall receive a majority of all votes cast, then it [illegible] of the City Manager, after giving the notice required by Statute, [illegible] to be held under the same rules and regulations as [illegible] election, at which second election the balloting shall be [illegible] having received the highest and second highest number of votes in [illegible].

I move the adoption of the foregoing ordinance to become effective this [illegible], since it is "directing administrative action," I move [illegible], requiring that the ordinance be read upon three separate [illegible] readings be made upon this date, and that the ordinance become [illegible].

Joseph W. Little
COUNCILMAN

[illegible] vote of the Council said ordinance [illegible] third and final reading, this the 14th day [illegible], [illegible] Councilmen having voted in the affirmative on each [illegible].

Approved as to Form:
C. P. Blackstock
Corporation Counsel.

Wickes Wamboldt
MAYOR

B. G. Thompson
CITY CLERK

[illegible] business, the meeting, on motion, adjourned.

Wickes Wamboldt
MAYOR

B. G. Thompson
City Clerk.



Thursday, July 20, 1933- 4:30 P. M.

The City Council met in regular session; Mayor Wamboldt presiding. Present: Councilmen A. C. Avery, John E. Baumberger, Plott Boyd, H. G. Brookshire, Joseph W. Little, [illegible] and Wickes Wamboldt, Corporation Counsel, C. P. Blackstock and City Manager, [illegible] absent on account of the unavoidable absence from the City of Councilman George L. Beckney.

On motion of Councilman A. C. Avery, seconded by Councilman F. H. Mill[illegible], resolution inviting the officials of the Home Owners' Loan Corporation to make headquarters in the City Hall was unanimously adopted.

RESOLUTION INVITING THE OFFICIALS OF THE HOME OWNERS' LOAN CORPORATION TO MAKE HEADQUARTERS IN THE CITY HALL.

WHEREAS, it has been brought to the attention of the City Council, that the United States Government, through the officials of The Home Owners' Loan Corporation, is desirous of securing space in some public building, free of charge, where the business of said bank can be carried on; and

WHEREAS, the City Council of the City of Asheville, realize the patriotic purpose of this bank, and its great good that it will do the citizens of this community and [illegible] Carolina; and

WHEREAS, there is great [illegible] space in the City Hall.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ASHEVILLE:

That the present officials of the Home Owners' Loan Corporation now in the City of Asheville be invited to occupy the City Hall for the purpose of ascertaining whether or not the available space is desired by said officials.

The City Council of the City of Asheville will invite some official of the above mentioned bank to make its headquarters in the City Hall of the City of Asheville, and the City Manager is hereby directed to cooperate with said officials in determining space to be occupied by said bank in the City Hall, for said institution if necessary.

I move the adoption of the foregoing resolution, this the [illegible] day of July, 1933.

A. C. Avery
COUNCILMAN

SECONDED BY: F. H. Miller
COUNCILMAN

Read, approved, and adopted, this the 20th day of July, 1933, to become effective according to statute, the 30th day of July, 1933.

Wickes Wamboldt
MAYOR

B. G. Thompson
CITY CLERK

APPROVED AS TO FORM:
C. P. Blackstock
CORPORATION COUNSEL.

On motion of Councilman A. C. Avery, seconded by Councilman H. G. Brook[illegible], resolution endorsing the Consumers' Council Movement was unanimously adopted.

RESOLUTION ENDORSING THE CONSUMERS' COUNCIL MOVEMENT.

Whereas, it has been signified to the Mayors of the Country from the Department of Agriculture of the United States, that it is the purpose of the administration to attempt to curb rising prices upon articles of consumption, particularly food products, pending the increase in wages and employment, so as to make purchasing power commensurate with increased prices; and

Whereas, the Mayor of the City of Asheville has been requested by the Secretary of the Association of Mayors of the United States to cooperate in this movement by appointing a consumers committee within the City of Asheville to cooperate with the proper departments of the Federal Government.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ASHEVILLE:

That the individual members of the City Council do heartily endorse the action of the National Administration in attempting to curb the prices of products of consumption, pending an increase in general employment, and a raise

[illegible] ing power commensurate with increased prices; [illegible] tionof the Mayor of the City of Asheville [illegible] in complying with the request of the National Government in setting up a local consumers council to assist in the program hereinbefore more particularly described; and we further pledge our individual assistance to the Mayor of the City of Asheville in his endeavors in the matter outlined.

I move the adoption of the foregoing resolution, this the 20th day [illegible]

A. C. Avery
COUNCILMAN

[illegible] BY: H. G. Brookshire
COUNCILMAN

[illegible] approved, and adopted, this the 20th day of July, 1933, to [illegible] immediately upon its passage this date.

Wickes Wamboldt
MAYOR

E. G. Thompson
CITY CLERK

[illegible]:
[illegible] Blackstock
[illegible] Hall.

Mr. Jno. M. Cathey, in behalf of a client, appeared and requested that the City accept $10,000 revenue anticipation note in payment of street assessments.

After some discussion in which the validity of the note was questioned, Councilman Avery moved, seconded by Councilman Little, voted on and carried, that the Corporation Counsel prepare a resolution setting forth the attitude of the Council in [illegible] anticipation notes and present same at the next meeting.

[illegible] Council and requested a ruling as to the [illegible] plumbing business.

[illegible] by Councilman Baumberger, that this matter [illegible] motion carried unanimously.

[illegible]ion of Councilman A. C. Avery, seconded by Councilman Plott Boyd, [illegible] An ordinance relating to the establishment of a quiet zone upon [illegible] vicinity of hospitals, passed on its first reading.

[illegible]ion of Councilman E. H. Miller, seconded by Councilman A. C. Avery, the rules were suspended, this ordinance placed upon its second and third readings; and being an emergency ordinance to become effective immediately upon publication; the [illegible]ilmen having voted in the affirmative upon the second and third readings:

A. C. Avery — J. E. Baumberger — Plott Boyd — H. G. Brookshire
Joseph W. Little — E. H. Miller — Wickes Wamboldt

[illegible] Council having voted in the affirmative, the ordinance [illegible] ion.

[illegible]

[illegible] ESTABLISHMENT OF A QUIET ZONE [illegible] VICINITY OF HOSPITALS.

WHEREAS, the present ordinance of the City of Asheville establishing a quiet zone upon [illegible] hospitals, being ordinance #1030, of Pennell's Code, [illegible] not provide a penalty for the violation thereof; and,

[illegible] traffic operations in the vicinity of hospitals within [illegible] months may become very noisy, so as to annoy the patients in the hospitals, and aggravate their condition; and,

WHEREAS, numerous complaints have been received by the members of the City Council relative to the disturbance of inmates of hospitals by traffic, and it is deemed that immediate action should be taken by the Council [illegible] promote the health of the patients within the hospitals of the City of Asheville; and,

WHEREAS, it is deemed that this ordinance providing for the safety and health of the patients in the hospitals of the City of Asheville, is an emergency ordinance.



NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF ASHEVILLE DO ORDAIN:

SECTION 1. It shall be the duty of every person driving or operating any vehicle in the city of Asheville in approaching a hospital to operate said vehicle without any loud or unnecessary noise.

SECTION 2. The City Manager shall cause to be erected and maintained street signs upon each block whereon a hospital is situated, said signs to carry [illegible] appropriate and visible inscription of warning.

SECTION 3. The violation of any of the provisions of this ordinance shall subject any such violator to a penalty of Ten ($10.00) Dollars for each and every such offense.

SECTION 4. Section #1030 of Pennell's Code is hereby repealed.

I move the adoption of the foregoing ordinance, this the 20th day of July, 1933.

A. C. Avery
COUNCILMAN

[illegible] BY: Plott Boyd
COUNCILMAN

Read, approved and adopted the 20th day of July, 1933. It was then moved by E. H. Miller, and seconded by A. C. Avery that the second and third readings on two other seperate days be dispensed with; and that the ordinance be now placed upon its second and third readings, and that, being an emergency ordinance, it become effective immediately upon publication: which motion carried, the following councilmen having voted in the affirmative upon the second and third readings:

A. C. Avery — Joseph W. Little
J. E. Baumberger — E. H. Miller
Plott Boyd — Wickes Wamboldt
H. G. Brookshire.

Two- thirds of the Council [illegible] ordinance became effective from its passage [illegible], this the 22nd day of July, 1933.

[illegible] Wamboldt
MAYOR

[illegible] Thompson
[illegible]

APPROVED AS TO FORM:

C. E. Blackstock
CORPORATION COUNSEL.

[illegible]

Councilman E. H. Miller, Chairman of the Committee appointed [illegible] to make an investigation and report relative to calling the special school tax election, and a report and recommended that before the City incurs the expense of [illegible] to obtain information [illegible] Board of Financial Control [illegible] commission will permit the [illegible] for special [illegible] to ascertain the attitude of the Board of Financial Control [illegible] Commission.

It was moved by Councilman [illegible] and seconded that the report of the Committee be [illegible].

(Copy of report)

[illegible] relative to calling the special school tax election, [illegible] City Council Board, makes the following report:

First, we find that [illegible] election, to vote upon the question of special school [illegible] request of the City School Board. We wish to report that this request has been made.

Second, We find that if such School Tax Election [illegible] the tax levied thereunder is subject to be disallowed in part, or in [illegible] both the Board of Financial Control of Buncombe County, and the School Commission [illegible].

Therefore, We recommend that before the City incurs the expense of the election, thatour action should be postponed so as first to obtain information, it possible, as to whether the Board of Financial Control and the State School Commission, will permit us to make the levy for school taxes, which may be permitted by an election of the people. And we recommend that the City School Board proceed at once to ascertain the attitude of the Board of Financial Control [illegible] commission in the respect.

[illegible] 20th day of July, 1933.

E. H. Miller
Plott Boyd
H. G. Brookshire [illegible] Committee.

...ity, reporting on his investigation of the request ... stated some sixty or seventy requests ... been received, that the city is not ... installations, but that some of ...

... on the formal request of the Planning Commission for an ... for the operation of play grounds ..., stated:"In view of the fact that ... June 30, 1934 has not yet been com... Commission secure from the Board of Finan... City Council, their approval of the budget ... I would recommend that the City Council ... operating budget, under the following ... for which this appropriation is ... Works Department of the city as a sub... Further provisions that the Superintendent of Parks ... all disbursements for play ground ..."

... Councilman Poyner, seconded by Councilman Miller that the ... adopted. All councilmen present voting "aye" ... voting "no", the motion carried.

... Corporation Counsel relative to a request made by Mr. ... in the budget a provision for paying pensions to ...

July ..., 1934

... Council
... ville, N. C.

In Re: Teachers' Pensions.

...:

... for an opinion relative to a request ... might to have incorporated in the budget a provision ... Asheville teachers.

... information that the City School Board intends ... such a provision, I desire at this time to ... opinion to the power of the City Council regarding this subject.

... Department of Education in its classification of School ... "Fixed Charges" certain items including "pensions" ... Section #16, provides: "The objects of expendi... "Maintenance of Plant" and "Fixed Charges" shall be suppli... ... to be made to the credit of the public schools of th... ... from ..., forfeitures and penalties, dog taxes, poll taxes ... charges except State funds--provided that where the funds ... are insufficient for meeting the objects of fix... ... of plant, that the tax levying authorities of the said ... in an amount sufficient to meet said needs".

... teacher is classified as a fixed charges and ... unit is authorized to levy taxes for fixed charges, ... from not enumerated sources are insufficient, and since ... is an administrative unit, it is my opinion that the City ... authority to levy taxes in payment of pensions for ...

... City is compelled to levy such taxes, that is, ... obligation to do so, I would like to reserve my ... the question of policty arises in connection with ... action of the City Council.

Yours very truly,
C. E. Blackstock
Corporation Counsel



On motion of Councilman ... the following resolution was introduced by ...:

I move ... Council now ... of ..., of which ... of Councilman ... the ... journment, ... Elliott ... on the ... our ... a myself ...

I move ...

... July ..., 1934.

There being ... business, ...

Mayor

City Clerk

E. L. Thompson
City Clerk.

Councilman Baumb

Councilman Miller

Councilman Sidney



Section 1.

Section 2.

Councilman J.

A. C.
J. E.
Platt
H. C.
Charles

Mayor
City Clerk

Approved as to form:

C. E. Blankstock
Corporation Counsel.

City Clerk

to the Civil Service Board for

Thursday, August [illegible], 1933 - 4:30 P. M.

The City Council met in regular session; Mayor Wamboldt presiding. Present: Councilmen A. C. Avery, John E. Baumberger, Plott Boyd, H. G. Brookshire, E. H. Miller, H. W. Rainey and Wickes Wamboldt, Corporation Counsel C. E. Blackstock and City Manager George L. Hackney.

The minutes of the previous meeting were read and approved with the following correction:

In regard to the request of Mr. Lane Gaston, Commander of the American Legion, that the rules of the Civil Service Board limiting ages of applicants be changed, the motion should read: This matter was unanimously ordered referred to the Corporation Counsel for legal opinion and to the Civil Service Board for recommendations in regard to the age limit which excludes veterans.

A communication from the members of the faculty of the Biltmore Junior College was read, in which was expressed appreciation to the Council for action in aiding in securing quarters and for the approval of the work of the College.

A letter from the State Manager of the Home Owners' Loan Corporation thanking the Mayor and the City Council for the use of office space in the City Hall was read.

On motion of Councilman Baumberger, seconded by Councilman Rainey, the request of Julius C. Martin, Senior and Philip Cocke, Attorneys of the Estate of J. E. Rankin, for an adjustment of claim secured by mortgage held by the City in the estate of J. E. Rankin, was unanimously ordered referred to the Corporation Counsel and the City Manager for advice and recommendation.

August 7th 1933

To the City Council of Asheville:
Gentlemen:

In 1931 the City of Asheville became the owner of a note executed by Arthur E. Rankin to the Central Bank & Trust Co. of Asheville, dated March 1928, for the sum of $30,000.00, which note was secured by a mortgage on a one-sixth undivided interest in the estate of J. E. Rankin (two lots on Orange Street not being included in this mortgage). The mortgage referred to above was foreclosed in July 1931, and the City of Asheville took title thereunder to the property described in the mortgage.

We beg to call your attention to the will of the late J. E. Rankin which created a lien of $2500. on the share in his estate which was inherited by his son, the late Arthur E. Rankin. The City of Asheville, therefore, now has title to a one-sixth undivided interest in this estate subject, however, to the prior lien of $2500. created by the terms of the will. The part of the lien properly chargeable to the value of the undivided interest of the late Arthur E. Rankin in the two lots located on Orange Street, which were not included in the aforementioned mortgage, will, of course, be deducted from the said lien.

We are endeavoring to settle the Rankin estate, and respectfully request that you make adjustment of this claim.

Very truly yours, Julius C. Martin Sr.
Philip Cocke
Attorney Estate of J. E. Rankin

Mortgage registered Book 258 page 95- March 1928
Willof J. E. Rankin, Clerk's Office, Book "O" page 117- Feby 16, 1928
Deed t the City from Trustee, Chas. G. Lee, Book 431 page 72- July 10, 1931.

A resolution adopted by the Veterans of Foreign Wars requesting the City Council and the Civil Service Board to modify the laws governing examinations to conform with the civil service laws of the Federal Government that veterans be given preference, was presented to the Council, and on motion of Councilman Miller, seconded by Councilman Baumberger unanimously ordered referred to the Civil Service Board for whatever action they desire to make.

The request of Fortune & Fortune, Attorneys, that the City of Asheville accept South Biltmore bonds to be used in payment of City of Asheville Special assessments was presented.

It was moved by Councilman Miller, seconded by Councilman Rainey that the Council authorize the acceptance of any valid bonds assumed by the City of Asheville for payment of assessments anywhere in the City of Asheville and that the Corporation Counsel pass on the validity of such assumed bonds. This motion on being put to a vote passed unanimously.

On motion of Councilman Plott Boyd, seconded by Councilman Ernest H. Miller, A resolution providing for a continuation of the City of Asheville in the North Carolina Municipal Association, and for representation of the City of Asheville at the conference of Mayor, session 1933. was adopted.

Voting "aye" for the adoption of the resolution: Councilmen Avery, Boyd, Brookshire, Miller, Rainey and Wamboldt; voting "no" Councilman Baumberger.

A RESOLUTION PROVIDING FOR A CONTINUATION OF THE CITY OF ASHEVILLE IN THE NORTH CAROLINA MUNICIPAL ASSOCIATION, AND FOR REPRESENTATION OF THE CITY OF ASHEVILLE AT THE CONFERENCE OF MAYORS, SESSION 1933.

WHEREAS, the City of Asheville is now a member of the North Carolina Municipal Association, having been admitted during the previous administration; and,

WHEREAS, at the forthcoming session of the Conference of Mayors, September 22 and 23, 1933, there is to be a discussion of Federal Public Works program, municipal debt situation, municipal credit, municipal revenues, tax delinquency, and unemployment relied.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ASHEVILLE:

1. That the City of Asheville continue as a member of the North Carolina Municipal Association, and that the City Manager be directed to take such steps and meet such expenses as may be necessary to a continuance thereof.

2. That the Mayor, or his representative, be authorized to attend the next National Conference of Mayors, to be held on September 22 and 23, 1933 as representative of the City of Asheville, to study the municipal questions hereinbefore enumerated, and that the actual expenses of such representation be allowed.

I move the adoption of the foregoing resolution, this the 10th day of August, 1933.

Plott Boyd
COUNCILMAN

SECONDED BY: Ernest H. Miller
COUNCILMAN

Read, approved and adopted, this the 10th day of August, 1933.

Wickes Wamboldt
MAYOR

E. G. Thompson
CITY CLERK

APPROVED AS TO FORM:
C. E. Blackstock
CORPORATION COUNSEL.

Mr. Jack Westall presented a petition from merchants, tenants, property owners and taxpayers of North Lexington Avenue petitioning the Council to change the present traffic laws with regard to parking or institute certain parking ordinance with respect to traffic on Lexington Avenue between Walnut Street and Broadway.

Mr. Wm. A. Sullivan attorney for property owners on Lexington Avenue request that the present parking regulations be continued.



A motion made by Councilman Miller, seconded by Councilman Boyd, that the matter be referred to the City Manager and the Director of Public Works passed unanimously.

Mr. Hackney reported in regard to the complaint of conduct of bus drivers at terminal located at Horney Heights, West Asheville. The report was accepted and filed.

The latter part of July, a number of citizens of West Asheville complained about the conduct of the bus drivers at the terminal located at Horney Heights, West Asheville.

The petition was referred to me for investigation and report. I sent a representative out to look into the matter, and he reported that he had found insufficient reason for suggesting a change in the location of the terminal. I afterwards made a personal investigation, interviewing a number of residents of that section. There were those who felt that the congregating of bus drivers at certain hours of the day was a nuisance; other stated that they saw no reason for complaint; still other s seemed rather indifferent, stating that there were boisterous noises, but no more than could be expected, if the terminal remained at this location.

It seems the trouble only occurs at certain hours in the day and early evening, and there are a good many hours when there is no congregation of busses, and at such times everything is serene.

This matter has been talked over with Mr. Everett, Chief of Police, and he has agreed to handle the situation by having an officer closely patrol that section during those hours when the boisterous conduct occurs. I think it well to try out this arrangement, and trust it will result in eradicating the complaint.

Respectfully submitted,
Geo L. Hackney
City Manager

August 10, 1933.

City Manager Geo. L. Hackney recommended that an appropriation of $45,000.00 $30,000.00 cash and $15,000.00 for trucks, etc., be placed in the budget for the City Relief.

It was moved by Councilman Miller, seconded by Councilman Avery, that the recommendation of the City Manager be adopted. This motion carried unanimously.

Mr. Hackney reported the following appointments:

R. E. Johnson. Building and Smoke Inspector
C. T. Johnson, Electrical Inspector
Chas. P. White, City Carpenter
Robt. L. Wright, Time Keeper
J. R. Swann, Special Privilege Tax Collector
Miss Lillie Everett, Temporary empolyed as stenographer for electrical and building inspectors.

There being no further business, the meeting, on motion, adjourned.

Mayor Wickes Wamboldt City Clerk

Thursday, August 17, 1933- 4:30 P. M.

The City Council met in regular session; Mayor Wamboldt presiding. Present: Councilman A. C. Avery, John E. Baumberger, Plott Boyd, H. G. Brookshire, Chas. F. Crow, Joseph W. Little, E. H. Miller, and Wickes Wamboldt, Corporation Counsel, C. E. Blackstock and City Manager, George L. Hackney. The minutes of the previous meeting were read and approved.

A letter from the Asheville Planning Commission containing resolution recommending that the City Council find ways and means for the City to assume the cost of proposed improvements to the streets on which the Federal Highways run was presented. Councilman Plott Boyd, Chairman of the Committee on Highways, reported the committee had made investigation and there are no funds available for this work.

On motion of Councilman Avery, seconded by Councilman Little, the Clerk was directed to send a telegram acknowledging with congratulations the invitation of Justice Harlot Clarkson to attend the celebration of his seventieth birthday, and to state that some of the members of the Council will attend if possible.

The communication from the Buncombe County Milk Dealers Bottle Exchange relative to the protection of the selling of milk in the City of Asheville and suburbs in milk bottles and foreign containers by families with one or two cows was on motion of Councilman Little seconded by Councilman Avery, unanimously ordered referred to the City Manager and the Health Officer.

On motion of Councilman Miller, seconded by Councilman Boyd, the request of the Secretary of the Civil Service Board that the Council make proper provision for the pension fund of the policemen and firemen was unanimously ordered referred to the Corporation Counsel.

A communication was read from Mr. J. M. Westall in regard to traffic regulations covering Lexington Avenue being extended to apply on all streets and on motion of Councilman Little, seconded by Councilman Boyd ordered referred to the City Manager.

Mr. Atkinson, Director of Public Works and Public Safety, explained the new traffic regulation on Lexington Avenue was working satisfactory.

A petition signed by proprietors of Grocery stores requesting the City Council to amend Section 811 of the City Ordinances to the end that the law be amended requiring all grocery stores in the City of Asheville to close on Sunday was read, and on motion of Councilman Little, seconded by Councilman Baumberger, unanimously ordered referred to a committee of three for investigation. Mayor Wamboldt appointed the committee composed of Councilmen Little, Avery and Baumberger.

Resolution requesting holders of outstanding bonded and note indebtedness to submit to the City Council evidence of their ownership was on motion of Councilman Joseph W. Little, seconded by Councilman A. C. Avery, unanimously adopted.

RESOLUTION REQUESTING HOLDER OF OUTSTANDING BONDED AND NOTE INDEBTEDNESS TO SUBMIT TO THE CITY COUNCIL EVIDENCE OF THEIR OWNERSHIP.

WHEREAS, the present City Council was inducted into office on the 15th day of May, 1933; and,

WHEREAS, said Council has never been furnished with any evidence of the ownership of the City's bonded and note indebtedness; and,

WHEREAS, it is necessary for the City Council to make up and approve a budget for the fiscal year beginning July 1, 1933, and ending June 30, 1934, covering operating expenses and debt service.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ASHEVILLE:

That the holders of all outstanding bonded and note indebtedness of the City of Asheville be requested to submit to the City Council evidence of their ownership, together with the name or names of their representatives or agents; and that said representatives or agents be requested to file with the City Clerk proper credentials showing their authority to act; and,



FURTHER, that a copy of this resolution be forthwith transmitted by the City Clerk to all known bond holders and note holders of the City of Asheville.

I move the adoption of the foregoing resolution.

Joseph W. Little
COUNCILMAN

SECONDED BY: A. C. Avery
COUNCILMAN

Read, approved, and adopted, this the 17th day of August, 1933.

Wickes Wamboldt
MAYOR

E. G. Thompson
CITY CLERK

APPROVED AS TO FORM:
C. E. Blackstock
CORPORATION COUNSEL.

It was moved by Councilman A. C. Avery, seconded by Councilman Joseph W. Little, that Resolution relating to tax levy for debt situation be adopted.

A substitute motion that this resolution lay over until next meeting was offered by Councilman Crow, and seconded by Councilman Brookshire, and upon being put to a vote, Councilmen Boyd, Brookshire, Crow and Wamboldt voting "aye", Councilmen Miller, Avery, Little and Baumberger voting "no", the substitute motion did not carry.

The main motion that the resolution be adopted was then voted on, voting "aye" Councilmen Avery, Baumberger, Little, and Miller, voting "no" Councilmen Boyd, Brookshire, Crow and Wamboldt, the motion did not carry.

Councilman John E. Baumberger moved, seconded by Councilman Joseph W. Little, that Resolution providing for the cooperation of the City of Asheville with the Administration of the National Recovery Act be adopted.

A substitute motion was offered by Councilman Brookshire, seconded by Councilman Boyd, that the resolution be referred to the Corporation Counsel and the City Manager for report at next meeting. The substitution motion carried on being put to a vote, all members of the Council except Councilmen Baumberger and Little voting in the affirmative.

A motion made by Councilman Crow, seconded by Councilman Little, that the City Manager arrange a conference with representative of the Bond and Note Holders to meet with the City Council and a representative of the Board of Financial Control on Monday, August 21 if possible, to discuss tax levy for debt service for the fiscal year 1933-1934, carried unanimously.

A resolution requiring a report of the Director of City Relief regarding the compensation of employees in that Department, and the disbursements in relief work, was on motion of Councilman John E. Baumberger, seconded by Councilman Ernest H. Miller, unanimously adopted.

A RESOLUTION REQUIRING A REPORT OF THE DIRECTOR OF CITY RELIEF REGARDING THE COMPENSATION OF EMPLOYEES IN THAT DEPARTMENT, AND THE DISBURSEMENTS IN RELIEF WORK.

WHEREAS, the City Council was compelled, by virtue of the regulations of the Director of Public Relief of the United States, to create a Department of City Relief, which became effective August 1, 1933; and,

WHEREAS, the City annually appropriates sums of public money to the relief work; and,

WHEREAS, the Council now feels it owes to the public the duty of supervising the proper disbursement of relief funds, or at least of acquiring information in this respect.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ASHEVILLE:

1. That the Director of City Relief be and is hereby required to furnish to the City Council the names and addresses of all employees in the department, together with the monthly compensation which is paid to each, including the salary of such Director.

2. That the Director of Public Relief is further requested to furnish the City Council the names of all persons who were receiving relief through the Department of City Relief at the time this department was created by the City Council on August 1, 1933; that is, the active list of those regularly receiving relief as of said date.

3. That this information be furnished to the Council by the said Director of City Relief at the earliest practicable date; and thereafter the same information be furnished monthly.

I move the adoption of the foregoing resolution.

John E. Baumberger
COUNCILMAN

SECONDED BY: Ernest H. Miller
COUNCILMAN

Read, approved and adopted, this the 17th day of August, 1933.

Wickes Wamboldt
MAYOR

E. G. Thompson
CITY CLERK

APPROVED AS TO FORM:
C. E. Blackstock
CORPORATION COUNSEL.

Messrs. Sol Naiman and J. B. Mathews were unanimously elected as members of the Electrical Examination Board to serve with C. T. Johnson, Electrical Inspector.

City Manager Geo. L. Hackney and Corporation Counsel C. E. Blackstock, reporting on investigation of the request of attorneys for the Estate of J. E. Rankin that the City take action relative to City's interest in the Arthur E. Rankin Estate, stated that further negotitation should be carried on with the Liquidating Agents for the Board of Financial Control of Buncombe County.

On motion of Councilman Boyd, seconded by Councilman Crow, this reported was unanimously accepted.

It was moved by Councilman Ernest H. Miller, seconded by Councilman H. G. Brookshire that An ordinance providing for the sanitary handling of flowers by street vendors be passed.

Councilman Boyd made a substitute motion, which was seconded by Councilman Crow, that this ordinance be referred to the City Manager for report at the next meeting. On put to a vote this motion carried.

There being no further business, the meeting, on motion, adjourned.

Mayor City Clerk



Thursday, August 24, 1933 - 4:30 P. M.

The City Council met in regular session; Mayor Wamboldt presiding. Present: Councilmen A. C. Avery, J. E. Baumberger, Plott Boyd, H. G. Brookshire, Charles F. Crow, Joseph W. Little, E. H. Miller, H. W. Rainey and Wickes Wamboldt, Corporation Counsel, C. E. Blackstock and City Manager, George L. Hackney. The minutes of the previous meeting ere read and approved.

In answer to request that a committee from the City Council meet with a committee from the Board of Financial Control to arrive at the value of certain notes in which the City has an interest, Mayor Wamboldt appointed Councilmen Charles F. Crow, Plott Boyd and Ernest H. Miller to act for the City Council.

The request of Welcome to Asheville, Inc., that the City Council allow the use of vacant floors in the City Hall for the establishment of a museum which represents the history, natural resources and industrial activities of this region was on motion of Councilman Miller, seconded by Councilman Rainey, unanimously ordered referred to the City Manager and a committee from the Council. Mayor Wamboldt appointed a committee composed of Councilmen Miller, Rainey and Brookshire to consider this request.

In response to an invitation that the Councilmen visit the City Relief Department a motion was made by Councilman Brookshire, seconded by Councilman Rainey, and unanimously carried, that the Councilmen accept the invitation to visit the City Relief Department on next Tuesday morning at 10 o'clock in a body.

Suggestions from Mr. J. M. Westall in regard to the control of trade and traffic conditions and the problem of street peddlers parking wagons and trucks and selling their wares on the streets of the city were submitted and on motion of Councilman Miller, seconded by Councilman Rainey unanimously ordered referred to the City Manager to consult with property owners and make recommendations to the Council.

Mr. Sanford W. Brown, attorney for Willie Wordlaw, filed notice of claim against the City of Asheville for $1,500 for injuries inflicted by a policeman of the City, which was on motion of Councilman Avery, seconded by Councilman Rainey, unanimously ordered referred to the Corporation Counsel.

NORTH CAROLINA
BUNCOMBE COUNTY

TO THE CITY MANAGER,
MAYOR AND COUNCILMEN OF THE
CITY OF ASHEVILLE,
ASHEVILLE, N. C.

NOTICE OF CLAIM

Willie Wordlaw of 96 Hill St., Asheville, N. C. hereby gives notice of and makes the following claim to and against the City of Asheville, as a Municipal Corporation, pursuant to and by virtue of the laws of the State of North Carolina.

1.

That the claimant is 28 years of age, married and lives at 98 Hill St., in the aforenamed City, County, and State, and that he and his family reside at the aforementioned address at the time the matters hereinafter set forth occurred.

2.

That about 4 A. M. Sunday, Aug. 6, 1933, the claimant while sleeping in his home at the aforementioned address was awakened by being jirked from his bed prostrate upon the floor by Vincent Bradley, and officer on the Police Force, of the City of Asheville, and that without being permitted to dress but while still in his night clothes the claimant was dragged bodily by said officer with the assistance of another officer of said police force from his bedroom, down the hall, across the porch, through the yard and over a rock wall, two feet in height, on the claimants said premises and on out to an automobile, owned by the City of Asheville and being used by it's said officers at the time; said automobile being parked at said time on Hill St., in front of the claimant's home, and that while being dragged prostrate over said route and without being given an opportunity to get on his feet the claimant was further assaulted, by said officer Bradley in that said officer did repeatedly strike him with his fist and kick him with his feet, and that all of same did seriously and painfully maim, lacerate, bruise, and injure the claimant all to his great damage in the sum of fifteen hundred dollars.

4.

That said officer, to-wit: Vincent Bradley, is a dangerous, and violent man with an uncontrolable temper to the extent as to make him unfit to serve in the capacity of an officer of the law and that the corporate defendant herein had knowledge of said facts at said time and had known, or by the exercise of due care, would have known of same for a considerable period of time prior to the aforestated occurrence but that despite said knowledge it did negligently continue said officer in it's employment in said capacity knowing that by doing so that he would in all probability unwarrantedly injure and damage someone by reason of his said disqualifications as he has this claimant.

5.

That the hereinbefore stated assault and battery made on the claimant by said officer mamed, sprained, lacerated and bruised almost every portion of the claimant's body and that same rendered him unconscious, or partially so, for a considerable period ot time thereafter and that same has completely disabled the claimant from pursuing his normal remunerative occupation from said date same were inflicted to the present time and as he is advised and believes will continue to disable him for a considerable period of time in the future and that said injuries so inflicted have caused him to undergo excruciating pain and suffering in both body and mind which continues at the present time and that all of same has damaged the claimant in the aforestated sum of fifteen hundred ($1500.00) dollars for which amount he hereby gives this notice and makes this claim upon the City of Asheville.

Willie Wordlaw
Claimant

Presented by Sanford W. Brown, Atty. for Claimant.

The request of Mr. Frank Mears that the ordinance prohibiting automobiles parking on the city streets after midnight be enforced was on motion of Councilman Crow, seconded by Councilman Little unanimously ordered referred to the Corporation Counsel and the City Manager.

Messrs. Philip Cocke Sr, E. M. Isreal and R. L. Fitzpatrick, made a request that relief be given Andy Bates an employee of the city for 39 years who is helpless. On being informed by the Corporation Counsel that the Council had no authority to give relief except through the Relief Department, it was moved by Councilman Little, seconded by Councilman Baumberger voted on and unanimously carried, that the City Manager be directed to instruct the Director of Relief to give the request immediate attention to the end that relief be given immediately and to take into account his long service with the City.

Mr. W. E. Shope, representing dairymen of Buncombe County made a protest against the privilege tax levied on trucks delivering milk products. Councilman Boyd moved, seconded by Councilman Rainey that this matter be referred to the Corporation Counsel and the City Manager; the Corporation Counsel to give a ruling as to whether the tax is unconstitutional, and if so to draft an ordinance amending this section of the Revenue Ordinance. This motion carried unanimously.

Resolution providing for the cooperation of the City of Asheville with the Administration of the National Recovery Act was on motion of Councilmen John E. Baumberger, seconded by Councilman Joseph W. Little, unanimously adopted.

RESOLUTION PROVIDING FOR THE COOPERATION OF THE CITY OF ASHEVILLE WITH THE ADMINISTRATION of THE NATIONAL RECOVERY ACT.

WHEREAS, the National Recovery Act is an act deisgned as a means to end the present panic; and,

WHEREAS, it is essential that the President of these United States have speedy and full cooperation by not only all people but also all states and their political sub-divisions.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ASHEVILLE.

That it is the wish of the City Council that the administration of the City of Asheville shall cooperate to the fullest extent with the National Recovery Administration, both as to purchases made by the City, and as to purchases made by employees of the City.



Be it further resolved that the City Manager, of the City of Asheville, be requested to take cognizance of this resolution as to the attitude of the governing body of the City of Asheville.

I move the adoption of the foregoing resolution.

John E. Baumberger
COUNCILMAN

SECONDED BY: Joseph W. Little COUNCILMAN

Read, approved and adopted, this the 24th day of August, 1933

Wickes Wamboldt
MAYOR

E. G. Thompson CITY CLERK

APPROVED AS TO FORM:
C. E. Blackstock

CORPORATION COUNSEL.

Mr. George L. Hackney, City Manager, announced the appointment of Clarence Sawyer as Purchasing Agent of the City of Asheville.

Councilman Baumberger reported he had an opinion from the Corporation Counsel that the appointment of the Clerk of the Police Court was the proper function of the Council and nominated Mr. G. C. Wible, this nomination was seconded by Councilman Little and on being put to a vote Mr. Wible was elected Deputy Clerk of the Police Court at a salary of $125.00 a month. /unanimously

Copy of Corporation Counsel's opinion.

August [illegible], 1933

The City Council,
City of Asheville,
Asheville, N. C.

IN RE: CLERK OF THE POLICE COURT.

Gentlemen:

Several members of the Council, as well as the City Manager, have requested me to give an opinion relative to whether the Clerk of the Police Court is embraced within the Civil Service provision of the Charter of the City of Asheville.

Section 23, of Chapter 16, Private Laws of 1927, provides that the City Clerk should also "act as Clerk of Police Court". This provision of the old Charter was not carried forward by the Charter of 1931, but the provision was repealed, and Section 11, sets forth the duties of the City Clerk, omitting the provision for acting as Clerk of the Police Court.

Section 150 of Chapter 16, Private Laws of 1927, provides: "The Board of Commissioners are authorized to appoint and employ a Deputy Clerk for said police court. Said Deputy Clerk shall have the same power and authority of administering oaths as that of the Judge of said police court, and said Board are authorized to impose the duty of the collection of all fines, penalties, forfeitures and costs on said Deputy Clerk and any other duties as it, in its discretion, desires. Said Deputy Clerk may be required to give sufficient bond for the said faithful performance of his duties in connection with such office."

The foregoing provision is re-enacted in the present city charter, Section 86, Private Laws of 1931, providing: "That whenever in any of said sections or acts the words 'Board of Commissioners' are used, the same shall be changed to read 'Council'. "

The matter contained in the above paragraph may be another ambiguity contained in the present charter. However, it appears to me that, unintentionally or intentionally, the provision is made for a Clerk of the Police Court, position to be designated as Deputy Clerk, to be appointed by the Council. In which case, of course, the Clerk would not be in the classified service.

Respectfully submitted,
C. E. Blackstock
Corporation Counsel.

August 31, 1933.

There being no further business, the meeting, on motion, adjourned.

Mayor

City Clerk

Thursday, August 31, 1933- 4:30 P. M.

The City Council met in regular session, Mayor Wamboldt presiding. Present: Councilmen A. C. Avery, J. E. Baumberger, Plott Boyd, H. G. Brookshire, Charles F. Crow, Joseph W. Little, E. W. Miller, W. W. Rainey and Wickes Wamboldt, Corporation Counsel, J. E. Blackstock and City Manager, George L. Hackney. The minutes of the previous meeting were read and approved.

A communication from A. L. Luckett, Chief of the Fire Department, setting forth facts and conditions which exist in that department and recommending that the Beaucatcher Street Fire Station be closed, the men and equipment distributed among the other stations thus greatly improving working conditions by installation of a two platoon system was read to the Council.

A motion of Councilman Baumberger, seconded by Councilman Little, that the communication be referred to a committee for report to the Council carried unanimously. Mayor Wamboldt appointed the committee composed of Councilmen Avery, Brookshire and Rainey.

A letter was read from A. J. Everett, Acting Secretary Civil Service Board, requesting a copy of resolution requesting the City Council to appoint a committee of investigation of the Fire Department and that all members of the department be questioned regarding the conduct and records of the officers and men in the department.

It was moved by Councilman Miller, seconded by Councilman Baumberger, voted on and carried, that the request be granted and a committee be appointed. Mayor Wamboldt appointed Councilmen Avery, Boyd and Crow.

On motion of Councilman Boyd, seconded by Councilman Avery, the request of Disabled American Veterans of the World War that Saturday, September 9th be designated as "Disabled Veterans Day" provided there be no conflict in dates, was unanimously granted.

A notice of claim in the amount of $2500 was filed by Ford, Coxe and Carter, attorneys for Anne C. Wallace for damage to her property occasioned by the diversion of the waters of Bee Tree Creek from her property.

It was moved by Councilman Avery, seconded by Councilman Boyd, that this claim be referred to the Corporation Counsel for examination and report.

NORTH CAROLINA
BUNCOMBE COUNTY

ANNE C. WALLACE
vs.
CITY OF ASHEVILLE

CLAIM FOR DAMAGES TO REAL ESTATE

To the Honorable Mayor and Board of City Council:

The undersigned, Miss Anne C. Wallace, hereby files claim against the City of Asheville for damage to her property occasioned by the diversion of the water of Bee Tree Creek from her property, thereby damaging the same in the sum of Twenty-five Hundred ($2500) Dollars. The facts supporting said claim are as follows:

I.

That during the years 1925 and 1926 the City of Asheville owned a water shed on the head waters of Bee Tree Creek, Buncombe County, and in order to increase the supply of water to the City of Asheville for the purposes of selling the same to the residents of said City and others outside of said city for profit, said city built and constructed a dam across Bee Tree Creek above the property belonging to this claimant; that at and before the time of and construction of said dam, the engineer and city authorities of the City of Asheville, from time to time, assured this claimant that the City would only take the rain fall from it's watershed and would not appropriate or divert any of the waters other than the rain fall from said water shed, and would not interfered with the ordinary and unual flow of said stream.



II.

That this claimant owns a home and several tracts of land located approximately one to two miles below the said dam, said property lying on both sides of said stream; that after the construction of said dam, the City of Asheville unlawfully and wrongfully diverted, took and appropriated [illegible] from said Bee Tree Creek, both the usual and ordinary flow as well as the rain fall, said unlawful and wrongful appropriation of said stream occurring from the [illegible] until the month of November, during which period of time all the [illegible] Tree Creek [illegible] is wrongfully and unlawfully diverted and appropriated by the said City of Asheville to the great damage of the property of this claimant.

III.

That the property and home of this claimant, [illegible] is used primarily as a summer home for herself and family from the 1st of June until the middle of September and 1st of October, consequently she is deprived of the use and enjoyment of the full flow of said Bee Tree Creek the only portion of the year she is able to occupy and use said premises for her own personal use and pleasure.

IV.

That during the Summer Season primarily, and particularly in dry seasons, the waters in said creek are so low, it is very unsanitary and detrimental to the health of the residents on said waters below said dam, and particularly menacing to the health and comfort of this claimant and her family, owing to the fact the usual and ordinary flow of said stream is appropriated by the said City of Asheville.

V.

That this claimant is advised that the damages to her property occasioned by the unlawful and wrongful appropriation of the ordinary and usual flow of said stream is a continuing damage; although this claimant has repeatedly complained to the [illegible] of the damages occasioned to her property by the City of Asheville, but the duly authorized agents and employees of said City have [illegible] refused to make any adjustment whatever for damages occasioned by the diverting, taking and appropriating the waters of Bee Tree Creek as aforesaid.

VI.

That this claimant, as she is advised and believes, has sufficient grounds to her said property and otherwise, because of the unlawful and wrongful act of the City of Asheville in taking and appropriating the flow of said stream by and through her said property as herein above stated, said damage amounting to the sum of Twenty-five Hundred ($2500.00) Dollars.

WHEREFORE this claimant requested this Honorable Board to allow her claim for damages to said property by reason of the matters herein set forth, in the sum of Twenty-five Hundred ($2500.00) Dollars.

Respectfully submitted,
Anne C. Wallace
By Ford, Coxe & Carter
Attorneys for the claimant.

NORTH CAROLINA,
BUNCOMBE COUNTY.

Miss Anne C. Wallace, being first duly sworn, deposes and says: That she is the claimant in the above entitled action; that she has read the foregoing claim and knows the contents thereof, and that the same is true of her own knowledge, except as to matters and things therein stated upon information and belief, and as to those she believes it to be true.

Miss Anne C. Wallace

Sworn to and subscribed before me,
this the 24th day of August, 1933.

Hazel Messer
(SEAL)
My commission expires
Sept. 14, 1933.

Mr. W. F. Bridgers, representing operators of cabs, taxi-cabs, livery cars or sight-seeing cars now engaged in business in Asheville, filed a petition requesting the passage of an ordinance entitled "An ordinance requiring operators or taxi-cabs, sight-seeing cars and cars for hire that are not operated on a definite schedule to obtain a permit from the City Council before permitted to operate upon the highways, streets and alleys in the City of Asheville".

Councilman Little moved, seconded by Councilman Avery, that this matter be referred to the City Manager and the Corporation Counsel for investigation and report at next meeting. This motion carried unanimously.

E. W. Pearson, representing the Buncombe County Colored Agricultural Fair, requested a free permit to operate a carnival in connection with the fair. Upon being informed by the Corporation Counsel that the Council had authority to appropriate not to exceed $100.00 to aid any agricultural exhibition, it was moved by Councilman Little, seconded by Councilman Avery, voted on and carried, that the matter be referred to the Corporation Counsel and the City Manager with authority to appropriate not to exceed $100.00 for agricultural fair exhibition.

A report of committee appointed by Council to make an investigation of the petition filed by certain citizens dated August 14, 1933 and requesting an amendment to Section 811 of Pennell's Code, stating that the committee is of the opinion that no amendment to Section 811 should be made at this time was read, and on motion of Councilman Crow, seconded by Councilman Miller ordered accepted.

REPORT OF COMMITTEE APPOINTED BY COUNCIL TO MAKE AN INVESTIGATION OF THE PETITION FILED BY CERTAIN CITIZENS DATED AUGUST 14, 1933 AND REQUESTING AN AMENDMENT TO SECTION 811 OF PENNELL'S CODE.

A public hearing was held on this petition Monday, Aug. 28, 1933 in the Council Chamber at 11:00 A. M. Those appearing and speaking for the petitioners were:

1. F. M. Felmet
2. Mrs. A. L. Lynn
3. T. E. Patton
4. Rev. Leland N. Emmuds

A counter petition was filed by D'Arcy S. Williams and E. H. MacMahon, Attorneys at Law and on behalf of this counter petition the following witnesses were heard:

1. S. A. Rubin
2. C. S. Luther
3. Mrs. Helen Shoomaker
4. V. Pector

Your committee, after hearing the evidence submitted, is of the opinion that no amendment to Section 811 should be made at this time. It has been stated by certain citizens who appeared before the committee that what they want is an enforcement of Section 811 as it now stands.

Respectfully submitted,
Joseph W. Little
John E. Baumberger
A. C. Avery

Mr. Hackney stated that the City Department of Relief had reported that Andy Bates was being taken care of and further that a nurse had been provided.

Councilman Little read an editorial from the Asheville Citizen and an article from the Times, and moved they be made a part of the minutes of the Council, Councilman Baumberger seconded the motion and it carried unanimously.

The Asheville Citizen - August 26, 1933

## Simple Justice Not Charity

For forty years Andy Bates served the City of Asheville. Aldermen, commissioners and councilmen came and went—the votive offerings of a dissatisfied and changing public—but Andy remained continuously in the city's service, protected by his own faithfulness against the spoils system.

Perhaps Andy's long tenure was partly explainable by the nature of his work. The ordinary place-seeker could not have envied him his job. For Andy was the trouble-shooter of the city's water system. His was the hardest task of repairing leaks in the municipal mains. Sometimes this meant working around the clock in the knee-deep mud of a ditch. Other times it meat a night's back-breaking labor while the thermometer hovered around the zero mark. Andy never whimpered or malingered. Gifted with a happy nature and prodigious physical strength, he went cheerfully and energetically about his labors. His motto seemed to be: "The people of Asheville must have water at any cost and in spite of every personal hardship". Of course, Andy did not phrase his creed quite that way. For he is a humble man, not given to talk. But his own services were a practical expression throughout forty hard years of that motto.

Andy's pay was never large. His labors were almost altogether physical and muscle and exposure are never handsomely compensated. Justice compels the confession that Andy was never a very provident person. The same justice the further admission that not even an uncommonly frugal person would have saved much out of his pitifully small earnings. Andy's financial philosophy was simple if not farsighted: he seemed to reason that he could work as long as he lived and that as long as he could work, the city would take care of him. It never entered his calculations that his physical strength would desert him or that the time would come when the city would have no need of his services.

Six months ago Andy fell ill. Age and exposure had finally demanded their due, which in his case had been long deferred. His name was stricken from the city's payroll and he was left to fend helplessly for himself when his days of usefulness were over. His past labors were forgotten. The obligations of a city to those broken in its service were not heeded. Andy became a charge upon the kindness of his fellow-employes.

Thursday Andy's case was presented to the Council by interested friends who sought for him a pension. The Corporation Counsel ruled that there was no legal authority by which Andy could be granted a pension and the Council referred the matter to the department of city relief.

Of course, if Andy Bates is in dire need, he is entitled to charity. Whether he worked forty years or forty hours for the city would not change in the slightest degree his right to relief. But he is entitled to something more from the city than a mere reference to the charitable branch and the city is not acquitting itself of its obvious duty in the matter when it refers the case to the department of city relief.

Corporation Counsel Blackstock may be technically correct in his conclusion that the city has no authority by which it can reward Andy Bates for his past services. But there are certain obligations that transcend the limitations of statutory law. Not the least of these imperious duties is the moral compulsion of a city not to consign impersonally to charity a person who has spent his life and broken his health in the municipal service and is now helpless and needy in his old age.

The City of Asheville should provide Andy Bates with the necessities during the remaining months of his fading life. It should do this frankly as an act of simple justice and not as an expression of charity. If it fails to do this, it will prove itself to be the sort of hard-hearted employer of whom all generous-minded people disapprove. The Citizen is convinced that if the Council really wishes to pension Andy, and will so advise the Corporation Counsel, he can find at least the shadow of legal authority for such elemental justice.

Asheville Times August 28th

## What Do You Thin

. . .

### Each Day The Times' Inquiring Rep Asks Five Persons at Random A Timely Question.

**TODAY'S QUESTION:** Do you think it is up to the c find a legal way to pension Andy Bates?

J. W. HAYES, 132 Vermont avenue: Yes. His long serv the city deserve it.

HARRY JOHNSON Asheville-Weaverville road: I am dent the city officials will find some way to take care of Bates "He deserves it.

W. A. LYTLE, 15 Westchester drive: Yes.

MRS. W. T. BUFORD, 27 Vermont avenue: I think so.

E. G. YOUNG, 29 Brevard road: An employe who has as long as Andy Bates deserves some consideration.

**TUESDAY'S QUESTION:** Do you think the Roosevelt a istration has lost or gained in the resignation of Professor



The request of the Master Plumbers of Asheville that an ordinance relating to plumbing in the City of Asheville be adopted was on motion of Councilman Rainey, seconded by Councilman Miller, unanimously referred to a committee composed of Councilmen Rainey, Boyd and Miller for study and report.

Mr. Hackney reported a request had been received from the Board of Financial Control that the City adopt a temporary operating budget for the month of September for approval, and recommended that the Council make a request for $60,000.

It was moved by Councilman Avery, seconded by Councilman Crow, voted on and carried unanimously, that the City Manager be authorized to request authorization of an operating budget of $60,000. for the month of September.

Councilman Baumberger moved, seconded by Councilman Little, that a committee from the Council be appointed to consider pensions for employees of the City of Asheville. This motion carried unanimously and Mayor Wambolt appointed Councilmen Little, Boyd and Miller on this committee.

On motion of Councilman A. C. Avery, seconded by Councilman Ernest T. Miller, A resolution providing for the appointment of a Juvenile Judge for Buncombe County was unanimously adopted.

A RESOLUTION PROVIDING FOR THE APPOINTMENT OF A JUVENILE JUDGE FOR BUNCOMBE COUNTY.

WHEREAS, at a joint meeting of the County Board of Commissioners, at which all of the county commissioners were present, and the City Council of the City of Asheville, at which all of the members of the council were present, held in the office of the City Manager of the City of Asheville at 8:00 P. M. on August 21, 1933, Judge J. Frazier Glenn was designated and re-elected as Juvenile Judge for Buncombe County for the term from March 1, 1933 to March 1, 1934, at a salary of one hundred and thirty-five($135.00) dollars per month: and,

WHEREAS, it is the sense of this Council that that action should be made public, and accepted by formal resolution, in order that the same might be placed upon the minutes of this body.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND COUNCIL OF THE CITY OF ASHEVILLE:

That the Council does hereby ratify and confirm in all respects the action of the joint Board of County Commissioners of Buncombe County and the City Council of the City of Asheville in electing Judge J. Frazier Glenn as Judge of the Juvenile Court of Buncombe County for the year beginning March 1, 1933 and expiring March 1, 1934, and at the salary of one hundred and thirty-five ($135.00) dollars per month, one-half of said salary to be paid by the City of Asheville.

I move the adoption of the foregoing joint resolution.

A. C. Avery
COUNCILMAN

SECONDED BY: Ernest T. Miller
COUNCILMAN

Read, approved and adopted, this the 31st day of August, 1933.

Nicholas Wambolt
MAYOR

H. G. Thompson
CITY CLERK

APPROVED AS TO FORM:
C. E. Blackstock
CORPORATION COUNSEL

There being no further business, the meeting, on motion, adjourned.

Mayor Nicholas Wambolt

City Clerk.

Thursday, September 7, 1933-4:30 P. M.

The City Council met in regular session; Mayor Wamboldt presiding. Present: Councilmen A. C. Avery, J. E. Baumberger, Plott Boyd, H. G. Brookshire, Charles F. Crow, Joseph W. Little, E. H. Miller and Wickes Wamboldt, Assistant Corporation Counsel, Philip T. Cocke, and City Manager George L. Hackney. The minutes of the previous meeting were read and approved.

On motion of Councilman Avery, seconded by Councilman Crow, the request of the Disabled American Veternas World War for permission for unlimited parking for about 6 cars in front of 66 Patton Avenue headquarters on Forget-Me-Not Day, Saturday Sept. 9th, was granted.

An ordinance exempting producers of milk from paying privilege tax upon vehicles used in delivering same was on motion of Councilman Plott Boyd, seconded by Councilman Joh . Baumberger, unanimously passed on its first reading. Voting for the passage of the ordinance on its first reading: Councilmen Avery, Baumberger, Boyd, Brookshire, Crow, Lit Miller and Wamboldt.

Councilman Miller, Chairman of the Committee appointed to study and report on t the Master Plumbers for the adoption of an ordinance regulating plumbing, repor recommended that the ordinance be not adopted.

Councilman Avery moved, seconded by Councilman Little, voted on and carried tha committee be accepted and approved.

An ordinance repealing ordinance #185 and substituting in lieu thereof provisio parking on Patton Avenue, Haywood Street, College Street, North Lexington Avenu was introducted and on motion of Councilman Crow, seconded by Councilman unanimously ordered that action on same be deferred until the next meeting.

A letter was read by City Manager George L. Hackney from the City Department of Relief relative to the relief furnished the family of Andy Bates, former employee of the City.

September 7, 1933

Mr. George Hackney, City Manager
Asheville, N. C.

My dear Mr. Hackney:

I want to give you a report on the family of Mr. Andy Bates

We are furnishing medical and nursing care, food, fuel and rent. Most of the time Mr. Bates is delirious and has to be kept under the influence of narcotics.

The physician states his condition is hopeless and no improvement . . . will be noted to continue services now being rendered.

Sincerely yours,
E. Grace Miller
CITY DEPARTMENT OF RELIEF

Mr. Hackney read a letter from Miss E. Grace Miller, Director of City Department of Relief in regard to hospitalization for the needy in Asheville, stating that the Director of Relief in Washington has issued an order that Federal Relief Funds cannot be used to pay for hospital care, that local communities should provide hospital care for their own needy families.

Councilman Brookshire moved, seconded by Councilman Crow, voted on and carried that this matter be referred to the City Manager and the Corporation Counsel.



Sept. 7, 1933

Mr. George Hackney, City Manager,
Asheville, N. C.

My dear Mr. Hackney:

I am writing you in regard to hospitalization for the needy in our city.

Mr. Harry Hopkins, Director of Federal Relief in Washington, has issued an order that Federal Relief Funds cannot be used to pay for hospital care. that local communities should provide hospital care for their own needy families.

Since the Associated Charities has become inactive during this emergency, funds no longer are available from the Community Chest. The fund for unemployment relief set aside by the City Council in the budget for the coming year is to match federal funds and, therefore, cannot be used for hospitalization either.

I [illegible] the case of a woman with an acute appendix, who needed hospital care and needed it at once. I appealed to Dr. Dan Sevier since I had no available funds and he stated that he had only $250.00 a month for hospitalization and that he had already used it all for the month of September. I notified Dr. Cocke of my inability to provide hospital care for the woman.

[illegible] to the hospital.

We are constantly having [illegible] provide hospital care.

[illegible] Chest has [illegible] greatly reduced [illegible] which the [illegible].

Will you please present this pressing matter to the Council and let us know what can be done to meet the critical situation.

Sincerely yours,
E. Grace Miller
[illegible]

City Manager, George L. Hackney, reported the employment of Mr. Fred M. Hall as City Accountant.

A report was read by City Manager, George L. Hackney, in regard to combining the office of Director of Public Works and Safety with that of City Manager, the office of Building Inspector with that of City Engineer, and the office of Smoke Inspector with that of Superintendent of Building, together with his recommendation that the position of Director of Public Works and Public Safety be combined with that of City Manager.

It was moved by Councilman Miller, seconded by Councilman Crow that the report and recommendation of the City Manager be accepted. Voting "Aye" Councilmen Avery, Boyd, Brookshire, Crow, Miller and Wamboldt, voting "Nay" Councilmen Little and Baumberger, the motion was carried.

COPY OF CITY MANAGER'S REPORT

It has been suggested by several members of the Council at different times that the office of Director of Public Works and Public Safety be assumed by the City Manager. The advocates of this plan feel that, with proper organization, the work can be done with a competent assistant.

I have honestly opposed the plan because of a fear that the result would be overwork and responsibility. I have felt that to be Director of Finance, and Treasurer, as well as City Manager composed about all the duties that should be placed on the shoulders of any one man. However, after serious deliberation, in the interest of economy and with a strong desire to help hold our operating budget down, I have decided that I will assume this added responsibility if the Council feels it advisable to make the experiment. Therefore, I recommend that the above outline plan be adopted. If [illegible] plan succeeds it will mean the saving of $3,000 a year to the City. If [illegible] and the extra duties do work too much of a hardship, or that it does not [illegible] Council to be feasible, it will be an easy matter to [illegible] present plan.

...ortuned by a number of business men to let the office of Building Inspector be a whole time position instead of combining it with the office of City Engineer. At the time this matter was under consideration the City Engineer was ... with an increased force-- I decided to combine ... office of Building Inspector with that of Smoke Inspector. This action was prompted by a desire to have the work of both offices done more efficiently, and ... detail of the work watched more carefully, which I felt could be done by one whose whole attention would be given to the work of these two offices. Again in ... economy, I am combining the office of Building Inspector with that of City Engineer and Mr. Maynard will assume the duties of both, and I am combining the office of Smoke Inspector with that of Superintendent of Buildings and Mr. Ballard will assume the duties of both. In each case the salary will remain the same ... $3,000.00.

It is my purpose, just as rapidly as it is possible for me to thoroughly familiarize myself with the workings of the various departments, to investigate the possibility of other savings by combinations of positions, or other methods. As I reach such conclusions, I will report to this Council.

George L. Hackney
September 7, 1933. City Manager

There ... further business, the meeting, on motion, adjourned.

... City Clerk.

Thursday, September 14, 1933 4:30 P. M.

The City Council met in regular session; Mayor Wamboldt presiding. Present: Councilmen A. C. Avery, John E. Baumberger, Plato Boyd, H. G. Brookshire, Charles F. Crow, Joseph W. Little, E. H. Miller, H. W.Rainey and Wickes Wamboldt, Corporation Counsel, C. F. Blackstock and City Manager George L. Hackney. The minutes of the previous meeting ...

A letter from ... on the West Asheville Bus Line requesting ... 10¢ ... instead of the present fare of 6¢ was ... by Councilman Miller, ... by Councilman Baumberger unanimously ordered ... for report at the next meeting.

A communication from the Trustees of the Wesleyan Methodist Church of West Asheville asking the Council to give them benefit of the Sullivan Bill which permits City Councilmen to cancel paving indebtedness against church property by cancelling ... paving bill against the ... property on Richmond and Pennsylvania Avenues was ... by Councilman Miller, seconded by Councilman Boyd, voted on ... that the matter be referred to the Corporation Counsel and the City Manager for report as to the ... owing street assessments and the amounts due.

Mr. C... presented petitions signed by 7558 citizens requesting ... submitting such proposal to a vote of the people.

... by Councilman Crow, seconded by Councilman Rainey, voted on and ... filed.

Ordinance #194- entitled An ordinance exempting producers of milk from paying privilege tax upon vehicles used in delivering same, was on motion of Councilman Rainey, seconded by Councilman Boyd, unanimously passed on its second reading. Voting "aye" Councilmen Avery, Baumberger, Boyd, Brookshire, Crow, Little, Miller, Rainey and Wamboldt



September 14, 1933

A report ... by Councilman Plato Boyd ... on Sept. 11th, of the ... Federal Emergency Administration ... was read and embodied ... below.

City Council
Asheville, N. C.

Gentlemen:

Mayor ... Emergency Administration of Public ... Raleigh ... Board was ... the Governor ... Public Works Bill, explaining ... after his ... here, Chairman Frank Page ... explain to ... meeting, the ... authorities, ... to be ... stating ... Public Works Administration ... applications for $30,000,000.00 ... Carolina, ...

The ..., which ... will make ... for public works ... for amortization. Thirty ... does not ... to be liquidated. ... Government ... thirty cents ... on Public Works Projects, ... existing ... in many sections ... thirty ... grant is not a gift, but ... differential in ... rates prescribed ...

He also explained that loans will be made on ... public buildings, highways, municipal ... plants, ...

Dr. Beatty explained that no ... had been forwarded to Washington, stating ... hand at the present time, and that all ... approval or rejection by the Local Board, ... all applications must be made to the ...

It is possible, where the borrower is not in ... on the loan for the first five years, that the thirty ... labor, may be used as payments on the loan for the first five years, and then curtailment on the entire amount of the loan must start at that time.

It is ... source, and ... and material, for the purpose of ...

All ... self-liquidating.

I believe ... for labor ... and widening ... owners ... used for purchasing lands or rights-of-way. We hope to get these Highways paved by the Public Road Project, as we understand that there has been allotted to North Carolina $11,000,000.00 for Public Roads, ... cent is to be spent in municipalities of North Carolina.

The State Advisory Board, consisting of Chairman Frank Page, Mayor George W. Coan, Jr., of Winston-Salem, and John N. DeVance of Fayetteville, ... Beatty, of Chapel Hill, ... 22nd, in order to explain to City ... Emergency Administration of Public Works, ... meeting. At that time, ... of the State Highway Commission, ... the Fifth District, so that ... and widening of the Federal ...

PB:MB

Plato Boyd

...business interests on North Lexington Avenue, ...all property owners of North Lexington Avenue ...parking be repealed and he offered ...by the City Manager at the last meeting ...

..., seconded by Councilman Bowmberger, ...amendment presented amending section four of Ordinance ...

...ordinance #185 and substituting in lieu thereof provisi... ..., College Street, North Lexington Avenu... ...preservation of the general public, safety, ..., ordinance, with the amendment offered was ...Councilman ..., seconded by Councilman Miller passed on its first ...vote: "Ayes" Councilmen ..., Bumberger, Boyd, Brookshire, Crow, Little, Mill...

...Councilman Miller that a committee be appoin... ...instructed in regard to tax ...

...committee: Councilman Boyd, Little and Miller.

...motion, ...carried.

City Clerk

Thursday, September 21, 1933 4:30 P. M.

...session: Vice Mayor Avery presiding. Present: ..., Charles F. Crow, Joseph W. Little, ..., S. B. Blackstock and City Manager, George L. Hackn... ...approved and approved.

...by the Asheville Planning Commission requesting ...rehabilitate the old city auditorium until every ...build in lieu an auditorium and convention hall using ...Administration of Public Works, was presented and on motion of ..., seconded by Councilman ... was ordered that the request be granted.

Miller

...filed by Wells and MacRae for Stella Grant in the ..., ...was accepted ... Council.

...

...

...

STATE OF NORTH CAROLINA,
...County.

...SHERIFF
...

} NOTICE OF CLAIM FOR DAMAGES FOR PERSONAL INJURIES.

TO THE MAYOR, COUNCIL, MANAGER, AND OTHER OFFICERS OF THE CITY OF ASHEVILLE:

...the City of Asheville, through her attorneys, Wells and ..., ...file this her claim and notice of claim against the City of ..., ..., Howard Grayson, for damages for personal injuries sustained, and to ...:

1.

...the injuries and damages occurred or were sus... ...on or about August 10, 1933.

2.

...said personal injuries were sustained was on ...walk on ... about midway between Haywood Street and Patton Avenue.



...

...

...

[illegible] milk from [illegible]
[illegible] motion of Councilman Crow, [illegible]
[illegible] third and final reading and [illegible] "Aye" for the adoption of the [illegible], Little and Miller.

[illegible] PROFITS TAX UPON

[illegible] Ordinance, which was adopted by the City [illegible], 1953, it was the intention of the committee [illegible] of "Creameries, Dairies, and Milk [illegible]" the plant or instance, on being the last item "(c)" [illegible] in said ordinance so as to cause the said [illegible] of section 151 of chapter 415, Public [illegible], inadvertently omitted by error.

[illegible] CITY COUNCIL OF THE CITY OF ASHEVILLE DO ORDAIN:

1. That [illegible] the aforesaid ordinance which became effective [illegible], 1953, and immediately preceding the latter [illegible] follows:

"Provided, however, that the foregoing provision shall not apply [illegible] dairies, creameries and milk depots handling their own milk".

[illegible] for said ordinance.

Placed Read

COUNCILMAN

Seconded by: John L. Baumbarger

COUNCILMAN

[illegible] on the 21st day of September, 1953, to become [illegible], 1953.

[illegible] Wombolt

MAYOR

[illegible]. C. Thompson

CITY CLERK

APPROVED AS TO FORM:

C. E. Blackstock

CORPORATION ATTORNEY

An ordinance repealing ordinance #185 and substituting in lieu thereof [illegible] on Patton Avenue, Haywood Street, College Street, North [illegible] Park Drive: as on motion of Councilman Miller, seconded by Councilman Crow, carried on its second reading. Voting for the passage of the ordinance on said reading: Councilmen Avery, Baumbarger, Boyd, Crow, Little and Miller.

[illegible] there being no further business, the meeting, on motion, adjourned.

[illegible] City Clerk



[illegible] 22, 1953.

[illegible] The City Council [illegible] Public [illegible], Councilman A. C. [illegible], Councilman [illegible], and Councilman C. E. Blackstock.

Mayor [illegible] Councilman Little, [illegible], 1953,

[illegible] Councilman Little, [illegible],

A resolution [illegible] Council Chamber, [illegible] Councilman [illegible] seconded by Councilman John L. Baumbarger, [illegible] adoption of Councilman [illegible].

RESOLUTION

[illegible] Chamber, [illegible] Councilman John L. Baumbarger, [illegible].

[illegible]

APPROVED AS TO FORM:

CORPORATION ATTORNEY

A Resolution [illegible] the M[illegible] to advertise and receive bids for the sale of [illegible] seconded by Councilman John L. Baumbarger, [illegible].

A RESOLUTION AUTHORIZING THE [illegible] TO ADVERTISE AND RECEIVE BIDS FOR THE SALE OF [illegible] OF THE CITY OF ASHEVILLE [illegible]

[illegible], it appearing to the City Council of the City of Asheville [illegible] that on the 21st day of July, 1953, [illegible] sold by the City of Asheville, said tax [illegible] foreclosure [illegible] for collection [illegible]

[illegible] week or four succeeding [illegible] which the sale was conducted on [illegible]:

[illegible] LOT SOLD TO WHOM BID IN BY

[illegible] Mr. W. F. Hoffman; and [illegible] above property was not bid in at the [illegible] by would not let it go, by [illegible] turn the last option [illegible] Mr. Ora Hill, [illegible] bid in the above shown above; and requesting [illegible] tax collector [illegible] file any ob- [illegible],

[illegible] will to the listed owner on August 3, 19[illegible] [illegible] payment to the tax department [illegible] "Mrs. in the story", "Unknown", and "Unclaimed [illegible], N. C.".

[illegible] by the CITY COUNCIL of the CITY OF [illegible]:

That the Mayor of the City of Asheville be and he is hereby authorized [illegible] property listed above, at the highest bidder at the sale [illegible], which bid is to be turned over to the tax collector of the [illegible] to the bidder upon payment of the [illegible], together with the cost of [illegible] sale.

[illegible] for roll call resolution.

Joseph W. Little
COUNCILMAN

[illegible]: John F. Rumbough
COUNCILMAN

[illegible], this the 28th day of [illegible], 19[illegible].

Wilkes Hemboldt
MAYOR

F. C. Thompson
CITY CLERK

[illegible]:
[illegible]

✓

[illegible] Mayor informing the Council that the [illegible].

[illegible], offered by Councilman [illegible] motion be [illegible] Committee. This motion carried unanimous[illegible]

✓

[illegible] by Councilman [illegible] the condition [illegible] the West Asheville line was ref[illegible] [illegible] meeting.

✓

[illegible] matter of assignments on Patton Avenue, filed a [illegible] on Patton Avenue from Spruce to Beaucatcher on College [illegible] Village, introduced by Councilman [illegible] and read [illegible] Smoke Inspector [illegible] the best [illegible].

✓

[illegible], upon motion by Councilman Miller, the City Manager, [illegible] Congressional Control for removal of [illegible] month of October. This motion carried.

[illegible], upon motion, adjourned.

[illegible]

[illegible]
City Clerk



[illegible]

[illegible]:

[illegible]

[illegible] Mrs. [illegible] Woods Community [illegible] the service [illegible].

October 11, 1933.

I move, seconded by Councilman Little, recognized by Councilman Crow, and unanimously carried, that the Council recess until 4:30 P. M., Wednesday October 11th.

Mayor

City Clerk

Wednesday, October 11, 1933- 4:30 P. M.

The City Council met in recess meeting; Mayor Wamboldt presiding. Present: Councilmen A. C. Avery, John E. Baumberger, Plott Boyd, H. G. Brookshire, Charles F. Crow, Joseph W. Little, E. H. Miller, H. W. Rainey and Wickes Wamboldt.

Councilman Plott Boyd moved, seconded by Councilman A. C. Avery, that a resolution authorizing the Mayor of the City of Asheville to issue his writ in the proposed opening and widening of Biltmore Avenue, be adopted.

Mr. B. H. Hill presented a petition from property owners of Biltmore Avenue, from Southside Avenue to Forest Hill Drive, protesting to the repaving and widening of Biltmore Avenue andbeing charged for the payment of the improvement.

The motion to adopt the resolution offered was voted on and carried, all members of the Council voting "aye" with the exception of Councilman Baumberger.

RESOLUTION

A RESOLUTION AUTHORIZING THE MAYOR OF THE CITY OF ASHEVILLE TO ISSUE HIS WRIT IN THEPROPOSED OPENING AND WIDENING OF BILTMORE AVENUE.

WHEREAS, George L. Hackney was appointed Special Agent of the City of Asheville, at the last session of this Council, to interview and endeavor to reach an agreement with property owners within the zone of theproposed opening and widening of Biltmore Avenue; and,

WHEREAS, said George L. Hackney has reported to the Mayor and the City Council that he has interviewed said property owners, affected by this proposed improvement, and has been unable to reach an agreement with the said property owners affected by the proposed improvement.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ASHEVILLE:

1. That the Honorable Wickes Wamboldt, Mayor of the City of Asheville, be and he is hereby authorized to issue his writ, commanding a policeman to summon a jury of six freeholders, and that said six jurors shall be unconnected by consanguity or affinity with any of the persons affected or supposed to be affected by the said improvement.

2. That such policeman is hereby directed, in obedience to said writ, and in compliance with Article 1, Section 287, Pennell's Code, to summon a jury of six freeholders, as aforesaid, and direct them to assemble at the Mayor's office in the City of Asheville at a time to be appointed by such policeman, not less than twenty nor more than thirty days after the date of said writ.

3. That such policeman shall see and interview each and every property owner affected by the proposed opening and widening of Biltmore Avenue, the said there notifying said property owners of the time and place of meeting of the jury. Said policeman shall further notify the persons affected, said notice to be in writing and signed by said policeman, and addressed to the person or persons upon whom service thereof is made, at least fifteen days before said meeting of the jury, in compliance with Article 1, Section 288, Pennell's Code.

I move the adoption of the foregoing resolution.

Seconded By: Plott Boyd
Councilman

A. C. Avery
Councilman



October 11, 1933.

Read, approved and adopted, this the 11th day of October, 1933.

Wickes Wamboldt
Mayor

E. G. Thompson
City Clerk

APPROVED AS TO FORM:
C. E. Blackstock
CORPORATION COUNSEL

Councilman A. C. Avery moved, seconded by Councilman E. H. Miller that Resolution adopting the budget for the City of Asheville for the fiscal year beginning July 1, 1933 and ending June 30, 1934 be adopted.

A substitute motion offered by Councilman Little, seconded by Councilman Baumberger, that final action on its operating budget not be taken until the regular meeting of the Council, Thursday, October 26th, and that a budget carrying both operating and debt levy be approved, did not carry. Voting "aye" Councilman Little and Baumberger, voting "no" Councilman Avery, Boyd, Brookshire, Crow, Miller, Rainey and Wamboldt.

The original motion to adopt the resolution adopting the budget for the City of Asheville for the fiscal year beginning July 1, 1933, ending June 30, 1934, was put to a vote and carried. Voting "aye" Councilman Avery, Boyd, Brookshire, Crow, Little, Miller, Rainey and Wamboldt, voting "no" Councilman Baumberger.

RESOLUTION

RESOLUTION ADOPTING THE BUDGET FOR THE CITY OF ASHEVILLE FOR THE FISCAL YEAR BEGINNING JULY 1, 1933, AND ENDING JUNE 30, 1934.

WHEREAS, the City Manager of the City of Asheville presented to the City Council, this the 11th day of October, 1933, the operating budget for the fiscal year beginning July 1, 1933 and ending June 30, 1934, and the budget as presented shows the amount to be expended for the operation of the various departments of the City of Asheville as follows:

| | | |
|---|---|---|
| A. | General Government, | $147,768.94 |
| B. | Law, | 22,475.00 |
| C. | Finance, | 40,473.15 |
| D. | Public Welfare (Health), | 73,078.80 |
| E. | Public Safety, | 820,859.08 |
| F. | Libraries, | 18,458.92 |
| G. | Civil Service, | 10.00 |
| H | Public Works, | 305,850.78 |
| | TOTAL - - - - - - - - - - - - - - - | $[illegible] |

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ASHEVILLE:

That the budget as presented to the City Council by the City Manager, on the 11th day of October, 1933, covering general funds, as outlined above--the total being $[illegible]--, be approved, and the same is hereby adopted as the budget of the City of Asheville for the fiscal year 1933-1934.

I move the adoption of the foregoing resolution, and that the same be placed upon the minutes by the City Clerk, this the 11th day of October, 1933.

A. C Avery
COUNCILMAN

SECONDED BY:

E. H. Miller
COUNCILMAN

Read, approved and adopted, this the 11th day of October, 1933.

Wickes Wamboldt
MAYOR

E. G. Thompson
CITY CLERK

...ber 11, 1933.

...

C. ...

...

...approved by the Board of Finance Control at its regular meeting held ... day of _____, 1933.

...:

CHAIRMAN

...

Mr. ... F. ... stated that official recognition be given the ... of the American Railway Express Company and the Southern Railway ... for the courtesies shown on their recent inspection tour of Western North ... by Councilman Little, seconded by Councilman Avery ... be appointed to draft a resolution to be sent to these companies. ... appointed Councilmen Avery, Baumberger and Little to draft ... resolution of appreciation.

Mr. Geo. L. Hackney, Special Agent appointed by the Council to confer ... property owners on Biltmore Avenue reported he had been unable to reach an ... ment.

October 11, 1933.

...Mayor Wix Humboldt, Mayor and
...Members of the City Council,

Gentlemen:

Pursuant to your request I beg to advise that I ... interviewed the property owners affected by the proposed ...ment widening of Biltmore Avenue and have failed to ...reach an agreement.

Very truly yours,

Geo. L. Hackney
CITY MANAGER

...

...Councilman H. H. Miller, seconded by Councilman H. W. ... ordinance ... sign regulation, advertisements, sign tacking, ... permits, and repealing Ordinance #168 ... was on its second reading; Councilman Avery, Baumberger, Boyd, ... Miller, Rainey and Wamboldt.

...business, the meeting, on motion, adjourned.

...

City Clerk

Thursday, October 12, 1933- 4:30 P. M.

The City Council meeting was called to order by Vice-Mayor Avery. Present: ... Baumberger.

...a quorum present to transact business, the meeting, on motion, adjourned.

...

City Clerk

October 19, 1933

Thursday, October 19, ... P. M.

The City Council met in regular session; Mayor ... presiding. Present: Councilmen A. C. Avery, John E. Baumberger, ... Joseph W. Little, E. H. Miller, H. W. Rainey and ..., Members of the Council, J. E. Blackstock and City Manager, George L. ... were read and approved.

On motion of Councilman Grey, seconded by Councilmen ..., Avery, ... appreciation to the officials of the traffic ... and the American Express Company for their ... advertise and bring tourists to Western North Carolina, ... composed of Councilmen Avery, Baumberger and Little, ... unanimously ...

WHEREAS, certain high officials of the ... Railway System on the traffic department of the American Express Company, ... came to this city for an inspection tour of the Great Smoky Mountains ... and other scenic attractions in Western North Carolina, ... appreciation of the beauty and attractiveness of ... great agencies to lend all possible aid in advertising ... section,

NOW, THEREFORE, by the City Council of Asheville that the visit ... of the Southern Railway System and the American Express Company ... of good-will and desire to aid in advertising ... section and the Great Smoky Mountains National Park ... people of Asheville, who feel assured that ... will accomplish great and beneficial results in ... Western North Carolina.

That a copy of this resolution be sent to Mr. ... Southern Railway, Washington, D. C.; Mr. H. F. ..., ... Ohio; Mr. E. N. Aiken, Asst. Traffic Manager, Atlanta, Ga., ... General Passenger Agent, Asheville, N. C.; ... American Express Co., and Mr. S. W. Hollan..., ... and Mr. G. F. Fetscher, Traffic Manager, Atlanta, Georgia.

A. C. Avery
John E. ...
Jos... W. Little

A communication from the Central Labor Union ... County of Buncombe to borrow money from the public ... the City and County was read.

The complaint of Mrs. Bradford that a ... at 197 Broadway and had broken the abutment ... made was on motion of Councilman Miller, seconded by ..., unanimously ... referred to the City Manager.

Mr. O. K. Bennett, Attorney, filed notices of claims ... former policemen.

It was moved by Councilman Avery, seconded by ..., that the claims be referred to the Corporation Counsel. ...

STATE OF NORTH CAROLINA
COUNTY OF BUNCOMBE

IN THE MATTER OF THE CLAIM ...
TO THE HONORABLE MAYOR, OF THE CITY ... WIX HUMBOLDT; THE CITY MANAGER, HON. GEO. L. HACKNEY, ... AND ..., CHIEF OF CIVIL SERVICE OF THE CITY OF ASHEVILLE: ...

Section 63, Article TEN of the City Charter, provides that any policeman who is in good standing and having been in service for one year at the adoption of said charter, shall be retained as such officer without examination as provided in said charter. At the time of the adoption of the City Charter, the above named claimant was in good standing ... efficient service for a period of appoximately seven years.

On the 15th day of November, 1931, the ... was relieved of duty on the force, without pay;

Article TEN, Section 44, subsection 12, provides for the immediate reinstatement at the head of the elligible list for service, since that time you have placed in the police service at least four men who were not qualified at the adoption of the Charter.

The undersigned Lon Powers, hereby presents his claim and demand in writing for the sum of TWENTY FOUR HUNDRED FORTY EIGHT DOLLARS ($2,488.00) due him as provided by said City Charter for services, from the 15th day of November, 1931, to date. This claim is presented to the above named officials as herein specified. And said parties above named will take notice that if they decline to pay or settle the same as presented or for ten days after presentation, neglects to enter or cause to be entered upon their minutes their determination of said claim legal proceedings will be instituted for the collection of same.

Respectfully, Lon Powers
Claimant.

O. K. Bennett
Styles & Styles Attorneys for claimant.

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STATE OF NORTH CAROLINA,
COUNTY OF BUNCOMBE.

IN THE MATTER OF ARTHUR BROWN CLAIMANT VS. CITY OF ASHEVILLE.

TO THE HONORABLE MAYOR AND COUNCILMEN, OF SAID CITY, THE HON. GEO. L. HACKNEY, CITY MANAGER, AND HON. ROBERT E. SHUFORD CHAIRMAN OF THE CIVIL SERVICE COMMISSION

Article TEN Section 63, of the Charter of the City of Asheville, provi that any policeman who is in good standing and having been in service for one ye at the adoption of said charter, shall be retained as such officer without examination as provided in said Charter. At the time of the adoption of said charter, the above named claimant was in good standing and had served as policem for many years.

On the 15th day of November, 1931, the above named claimant was relea from said force without complaint and without pay. Article TEN, Section 44, subsection (12) provides for the immediate reinstatement at the head of the eligible list for service, since that time you have placed in the police servi at least four men who were not qualified at the adoption of the charter;

The undersigned Arthur Brown, hereby presents his claim and demand in writing to the above named officials, for the sum of TWENTY SEVEN HUNDRED SEVENT TWO DOLLARS ($2,772.00) due him as provided by said charter, for services, from the 15th day of November, 1931, to date. Said parties above named will take notice that if they declaine to pay or settle the same as presented or for ten days after presentation, neglect to enter or cause to be entered upon their min their determination of said claim, legal proceedings will be instituted for the collection of same.

Arthur Brown Claimant

O. K. Bennett Attorney
Styles & Styles Attorneys for claimant.

Several representatives of the newly organized Asheville Aviation Association appeared before the Council and urgedthat immediate action be taken by the City Council toward securing a loan of one million dollars from the Federal Government with which to build an airport in this vicinity.

A motion made by Councilman Avery, seconded by Councilman Rainey that the Airport Committee of the Council jointly with a committee from the Asheville Aviation Association look into the matter thoroughly and have an application for funds ready to submit at the next meeting of the Council was unanimously adopted.

A committee composed of Mr. J. G. Stikeleather, Chairman of the Chamberof Commerce Roads Committee and Mr. Fred L. Weede, Manager of the Chamber of Commerce, presented a resolution adopted by the Highway Committee of the AshevilleChamber of Commerce urging that the proposed federal scenic highway, connecting the Shenandoah National Park and the Great Smoky Mountains National Park, follow the Blue Ridge Mountain range into North Carolina and connect these outstanding scenic points: Blowing Rock, Grandfather Mountain, Linville, Alta Pass, Little Switzerland, Buck Creek Gap, Mount Mitchell, Craggy Mountain Gardens, Elk Mountain Scenic highway thence to the Great Smoky Mountains Park, and asked the City Council to endorse and approve the resolution.

Councilman Little moved, seconded by Councilman Avery, that the Council endorse the action of the Highway Committee and approve the route for the proposed Federal Scenic Highway connecting the Shenandoah National Park and the Great Smoky Mountains National Pa This motion carried unanimously.



On motion of Councilman Plott Boyd, seconded by Councilman Ernest H. Miller, A resolution authorizing the Mayor to execute quit-claim deeds to the herein listed property acquired by the City of Asheville by tax foreclosure suits was unanimously adopted.

RESOLUTION

A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE QUIT-CLAIM DEEDS TO THE HEREIN LISTED PROPERTY ACQUIRED BY THE CITY OF ASHEVILLE BY TAX FORECLOSURE SUITS.

WHEREAS, it appears to the Committee on Tax Deeds that the herein mentioned pieces ofproperty have been foreclosed by the City of Asheville for 1926, 1927 or 1928 taxes; and,

WHEREAS, said Committee has, through the legal department of the City, investigated the same and is satisfied that Sections 11 and 12 of Chapter 180, Public Laws of 1933, have been complied with.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ASHEVILLE:

That the Mayor be and he is hereby authorized to sign quit-claim deed to the followingproperties, which deeds are to be turned over to the Tax Collector of the City of Asheville for delivery by him to the proper persons upon payment of the amount of taxes now a lien on the property, together with the cost of advertising, which amount is set forth in the deed:

| CERT. | LISTED OWNER | LOT | SHEET | WARD | DEED TO |
|---|---|---|---|---|---|
| 41 | H. C. Brown et ux Lelia M., J. T. Sevier et ux Carolina B., | 330 | 5 | 1 | Elizabeth Lacy Chambers |
| 1329 | H. R. Millard, | 89 | 5 | 4 | Holt. |
| 2441 | Employees Inv. Co., | 193-194 | 8 | 6 | Roma L. Niles. |
| 2479 | E. C. Griffin | 14¼ | 6 | 6 | Southern Disc. Corp. |
| 2726 | F. W. Swann | 129 | 8 | 6 | Gurney P. Hood, Commissioner of Banks. |
| 5672 | J. H. Morris | 80½ | 4 | 2 | O. J. Wynne et ux, |
| 5737 | M. H. Coxe, | 142 | 8 | 3 | Cornelia Weaver. |
| 6042 | The Finance Co., | 393 | 1 | 4 | Mary S. Kitchin. |
| | | | | | J. B. Stewart. |

I move the adoption of the foregoing resolution.

Plott Boyd COUNCILMAN

SECONDED BY: Ernest H. Miller COUNCILMAN

Read, approved and adopted, this the 19th day of October, 1932.

Wickes Wamboldt MAYOR

E. G. Thompson CITY CLERK

APPROVED AS TO FORM:

C. E. Blackstock

CORPORATION COUNSEL.

On motion of Councilman E. H. Miller, seconded by Councilman John E. Baumberger, Ordinance #196- entitled An ordinance relating to sign regulation, advertisements, sign tacking, distribution of samples, and fees for permits, and repealing Ordinance 168 was passed on its third and final reading. Voting for the adoption of the ordinance: Councilmen Avery, Baumberger, Boyd, Brookshire, Little, Miller, Rainey and Wamboldt.

ORDINANCE #196

AN ORDINANCE RELATING TO SIGN REGULATION ADVERTISEMENTS, SIGN TACKING, DISTRIBUTION OF SAMPLES, AND FEES FOR PERMITS, AND REPEALING ORDINANCE #168

THE CITY COUNCIL OF THE CITY OF ASHEVILLE DO ORDAIN:

Section 1. Classification of Signs.
For the purpose of this ordinance signs are hereby classified as follows: Ground Sign Boards, Roof Signs, Wall Signs, and illuminated Wall Signs. Expressly excepted from the provisions of this ordinance are the following: (1) Signs on private property outside the congested district, not more than eight feet square in area, and which do not project over the sidewalk or street: (2) Signs erected or maintained by any branch or agency of government; (3) Marquises or door canopies. The "congested district" as used in this ordinance, shall be defined as described in Section 14 of the Traffic Code of 1925.

GROUND SIGN BOARDS.

Section 2. The expression "ground sign boards", as used in thisordinance, shall mean any construction of whatever material erected or maintained for the purpose of displaying outdoor advertisements by means of posters, pictures or reading matter, when such construction is supported by uprights, braces, or otherwise placed upon the ground and not attached to any building. Such ground sign boards shall be construct of incombustible material if located within the congested district, and shall be set back from the street line a distance equal to the height of the sign board. No grou sign board shall be at any point over twenty-four feet above the ground level. Ever ground sign board shall have an open space of not less than two nor more than four feet between the lower edge of such sign board and the ground level, which space may filled in with platform and decorative lattice work of light wooden construction. Every ground sign board shall be strongly constructed and anchored in a secure manne Any person or company using any vacant lot on premises for a ground sign board shall keep the lot or premises clean, sanitary, inoffensice, and free of all noxious sub- stance in the vicinity of such ground sign board, and shall remove show from the sidewalk and curb in fron thereof.

ROOF SIGNS.

Section 3. The expression "rood sign", as used in this ordinance, shall mean any construction of whatever material erected or maintained upon the roof of any buildi for the purpose of displaying advertisements. Every roof sign which is illuminated shall be illuminated by electricity and shall be so constructed and electrically equipped as not to be or become dangerous. No sign shall be placed on the roof of any building so as to prevent free passage from one part of said roof to any other part thereof, or interfere with any openings in such roof, and no sign that is placed upon the roof of any building shall project beyond the edge of said roof in a direction. All roof signs shall be so constructed as to leave a clear space of not less than six feet between the roof level and the horizontal portion of the structu and at least five feet clearance between the vertical supports thereof; and every roof sign shall be set back at least four feet from the face of any front or rear w Every roof sign shall be constructed entirely of steel, including the upright suppor and braces of the same, excepting only that the ornamental moldingand battens behin the steel facing may be of wooden construction. All roof signs must be so constru as to withstand a wind pressure of not less than thirty pounds to the square foot o area subject to such pressure, and when erected upon buildings which are not con- structed entirely of fire-proof materials the bearing plates of said sign shall bea directly upon the masonry walls or upon steel girders which are supported on the masonry walls and intermediate columns in the building. No roof sign structure having a tight, closed, or solid surface, shall be at any point over thirty-one feet above the roof level. Roof sign structures not having a tight, closed or solid surface, may be erected upon fire-proof buildings to a height not exceeding seventy-five feet above the roof level, and upon non fire-proof buildings to a height not exceeding fifty feet above the roof level, but in eithercase the protion of such structure covered and exposed to wind pressure shall not exceed thirty-five per cent of the area thereof. All roof signs shall be thoroughly secured to the building upon which they are installed by iron or other metal anchors, bolts, supports, shains, stranded cables, rods, or braces. Every such sign and all the supports, braces, guys and anchors thereof, shall be kept in good repair, and unless galvanized shall be kept thoroughly and properly painted.

WALL SIGNS.

Section 4. The expression "wall sign", as used in this ordinance, shall mean any sign or advertisement in words or devices painted upon or otherwise applied to any fabric, panel or other sruface of whatever material that may be affixed to theout- side of the front, rear or side wall of any building; except that signs painted upon or ingegral with such wall shall not be included within this definition. The panel or surface of all wall signs shall be of sheet metal or other incombustible material of high tensile strength. Every wall sign shall be safely and adequately attached to the building wall by means of iron or metal anchors, bolts or expansion screws. A wall sign projecting beyond the wall to which it is affixed shall not extend over the sidewalk more than eighteeen inches, and the lowest portion thereof shall in every case be at least nine feet above the ground level.

ILLUMINATED WALL SIGNS.

Section 5. The expression "illuminated wall sign", as used in this ordinance, shall mean any sign or advertisement in words, or devices, illuminated and affixed to the outside of the front, rear, or side wall of any building. Illuminated wall signs shall not be illuminated otherwise than by electricity, and shall be constructed entirely of metal or other incombustible material, except the insulation thereof including upright supports and braces, and shall be firmly attached to the building and so constructed as not to be or become dnagerous. An illuminated wall sign shall in no case extend beyond the outer edge of the adjacent sidewalk. An illuminated wall sign which extends over the sidewalk less than two feet shall be at the lowest portion of such sign not less than nine feet above the sidewalk; and any such sign which extends over the sidewalk two feet or more shall be at the lowe portion of such sign not less than twelve feet above the sidwalk. No illuminated wall sign shall be erected on the front, rear, or side wall of any building so as to project above the wall to which it is affixed; except that a sign erected at an angle to the wall, the horizontal width of which sign parallel to such wall is not more than eighteen inches, may be erected to a height not exceeding three feet abov the said wall. Every illuminated wall sign shall be constructed and braced to wit stand a wind pressure of thirty pounds per square foot of sruface exposed. Every illuminated wall sign shall be securely affixed to the building wall by iron or oth anchors, bolts, supports, chains, stranded cables, rods or braces, and all supports braces, and anchors, unless galvanized, shall be kept thoroughly and properly painted and kept in repair.



OBSTRUCTION OF FIRE ESCAPE.

Section 6. No sign of any description shall be installed or maintained in such manner as to obstruct any fire escape or any window or door leadingthereto; nor shall any sign be attached in any manner to a fire escape; nor shall any sign be so installed or maintained as to cover or obstruct any doors or windows of any building or otherwise to prevent free ingress and egrees thereto or therefrom.

DISTRIBUTION OF SAMPLES, AND SIGN POSTING.

Section 7. It shall be unlawful for any person, firm or corporation, to advertise by distribution of samples, printed matter (except as provided in the Revenue Ordinance), or sign tacking, or by tacking, pasting or tying, on poles, posts, trees, buildings, fences, or other structures within the area controlled by the City, including trucks or other vehicles except street cars, in the City of Asheville.

BOND REQUIRED.

Section 8. No person, firm or corporation shall engage within the corporate limits of Asheville in the business of outdoor advertising by means of ground sign boards, roof signs, wall signs, or illuminated wall signs until after such person, firm or corpora- tion shall have filed with the City Manager a bond in the sum of ten thousand ($10,000) dollars with securities to be approved by the said City Manager; the condition ofsaid bond to be such that such person, firm or corporation, so engaged in the business of outdoor advertising, shall faithfully comply with all the provisions of this ordinance, and further, shall save and keep the City and its officials harmless from all damages, liabilities, losses or judgments, that may be claimed against the City or such officials by reason of the erection or maintenance of any such ground sign board, roof sign, wall sign, or illuminated wall sign.

PERMITS.

Section 9. No ground sign board, roof sign, wall sign, or illuminated wall sign, falling within the purview of this ordinance, shall be erected oraltered by any person, firm or corporation, except as prescribed in this ordinance, nor until a permit shall have been obtained from the Building Inspector. No permit shall be issued by the Building Inspector until after an application has been filed with him showing the plans and specifications, including dimension, materials and details of construction of the proposed sign orproposed alteration, which said plans and specifications shall, in the case of any sign lighted or to be lighted by electricity, have been approved by the Electrical Inspector; nor until all of the provisionsof this ordinance, relating to the proposed sign or alteration, shall have been complied with; nor until the Building Inspector shall have been paid the prescribed fee for such Permit. A separate permit shall be issued for each ground sign board, roof sign and illuminated wall sign, and a separate permit for each wall sign eight feet square or more in area. The Building Inspector may prescribe suitable regulations, consistent with the provisions of this ordinance, concerning the form and contents of all applications for the various forms of permits here required.

The fee for such permits shall be as follows:

| | |
|---|---|
| For each permit to erect Ground Sign Board ..... | $5.00 |
| For each permit to erect Roof Sign..... | 5.00 |
| For each permit to erect Wall Sign or Wall Signs.... | 2.00 |
| For each permit to erect Illuminated Wall Sign..... | 2.00 |
| For each permit to make alterations to any sign..... | .50 |

Provided a blanket permit may beissued for a period not to exceed twelve months, for the erection of any number of wall signs not exceeding fifty square feet in area and not projecting over the City streets or sidewalks; povided such signs are to be erected for the purpose of advertising the product or business of any local person, firm, or corporation, or, the product or business of a local representative of any person, firm or corporation. The location of every such sign erected under the grant of a blanket permit shall be reported to the Building Inspector. Provided, also, a separate permit shall be issued for each poster advertising a sign location; and the Building Inspector, before issuing such permit, will inspect the location and satisfy himself that erection of same will not cause a blind corner, a traffic hazard, cause a menace to public health, or a fire hazard. It shall be the duty ofthe Building Inspector to inspect all locations before a permit shall be issued.

PRESENT INSTALLATION.

Section 10. Any sign erected before the passage of this ordinance shall, upon notice from the Building Inspector to the person owning or using the same, be changed, altered or removed, so as to conform to and comply with the requirements herein provided for signs of like character. Provided, however, that no permit or fee shall be required with respect to such change, alteration or removal, and no fee charged therefor, and provided, further, that the owner or persons using the same shall have three months from the date of such notice to make such change, alteration or removal, as required by the Building Inspector.

UNLAWFUL SIGNS.

Section 11. In case any sign shall be installed or maintained in violation of any of the provisions of this ordinance, the Building Inspector shall notify the owner or lessee thereof to alter such sign so as to comply with the ordinance, and to secure the necessary permit therefor, or to remove the sign. If such order is not complied with in ten days, the Building Inspector shall remove such sign at the expense of the owner or lessee thereof.

UNSAFE SIGNS.

Section 12. Should any ground sign board, roof sign, wall sign, or illuminated wall sign, be or become insecure or other wise unsafe, in the opinion of the Building Inspector, the owner thereof or the person maintaining the same, shall, upon notice from the Building Inspector, immediately in case of immediate danger and in any case within ten days, secure the same in a manner to be approved by the Building Inspector in conformity with the provisions of this ordinance.

Section 13. Should any section, paragraph, sentence, clause or phrase, of this ordinance, be declared unconstitutional or invalid for any reason, the remainder of said ordinance shall not be affected thereby.

Section 14. Any person, firm or corporation, violating any provisions of this ordinance, shall upon conviction be subject to a penalty of fifty ($50.00) dollars for each and every offense.

Section 15. All ordinances heretofore passed by the City of Asheville regulating signs, advertisements, sign tacking, distribution of samples, etc., are hereby repealed; except as defined in Ordinance No. 190, being the Revenue Ordinance for the years 1933- 1935.

I move the adoption of the foregoing ordinance this the 5th day of October, A. D., 1933.

Joseph W. Little Councilman

Seconded by: H. W. Rainey Councilman

Read, approved and adopted, this the 19th day of October, 1933, to take effect on the 3rd day of November, A. D., 1933.

Wickes Wamboldt Mayor

E. G. Thompson City Clerk

APPROVED AS TO FORM:

C. E. Blackstock
CORPORATION COUNSEL.

There being no further business, the meeting, on motion, adjourned.

Mayor Wickes Wamboldt City Clerk E G Thompson

Thursday, October 26, 1933- 4:30 P. M.

The City Council met in regular session; Mayor Wamboldt presiding. Present: Councilman A. C. Avery, John E. Baumberger, Plott Boyd, H. G. Brookshire, Charles F. Crow, Joseph W. Little, L. H. Miller and Wickes Wamboldt, Corporation Counsel, C. E. Blackstock, City Manager George L. Hackney. The minutes of the previous meeting were approved.

The complaint of unsightly condition of lots on Biltmore Avenue used for the storage of second-hand building materials and the request that the conditions be investigated to ascertain whether they constitute a nuisance and fire hazard or otherwise against ordinance was on motion of Councilman Brookshire, seconded by Councilman Miller unanimously ordered referred to the City Manager and the Corporation Counsel with instructions to investigate similar conditions on Haywood Road.

A communication was read from the City Planning Commission containing report upon the proposed Convention Hall and Public Auditorium and requesting that the Council hold a special meeting to examine plans and permit architects to explain their plans.

Mayor Wamboldt explained a meeting had been already arranged for tonight.



A communication from the City Planning Commission [illegible] of certain unsightly [illegible] presented to the Council and on motion of Councilman Baumberger, seconded by Councilman Miller unanimously ordered referred to the City Manager with [illegible] the Director of Planning to cooperate with the Planning Commission.

Mrs. [illegible] Logan on behalf of the [illegible] stated that the members of the club [illegible] the renewal of the lease for a period of five years upon the condition that they keep the building in repairs.

It was moved by Councilman Little, seconded by Councilman [illegible] of the Council as a whole make an investigation of the club house with the [illegible] a report at the next meeting of the Council.

A motion was made by Councilman Miller, seconded by Councilman [illegible] accept with thanks the invitation of the members of the Kenilworth Community Club to meet in the Club house on next Thursday at 6:30 o'clock, carried unanimously.

Mr. Ronald Green on behalf of the Westside Retail Merchants Association, stated plans were ready to be submitted for a proposed municipal auditorium for business district and asked that the Council request the plans be submitted to the Planning Commission.

It was moved by Councilman Miller, seconded by Councilman [illegible], that Mr. Green's request be granted and the architects be invited to meet with the Council and the Planning Commission tonight.

The complaint of Mr. W. G. Dean that the number of jitney busses on the West Asheville line was increasing and the request that the Council take action as soon as possible in enforcing the rules was ordered on motion of Councilman Crow, seconded by Councilman Avery referred to the Jitney Bus Committee with request that they report on same for consideration of the Council. This motion carried unanimously.

The report of the Airport Committee was read as follows:

Since the attendance of the Mayor, City Manager and two members of your Committee at the meeting at Winston-Salem for the organization, there has been considerable activity in connection with the Airport project here.

First: Through the efforts of your Committee, public interest has been stimulated to such an extent that the Asheville Aviation Association has been formed, and we are reliably informed that its membership is [illegible] enrolled members.

Second: Your Mayor has appointed a Committee consisting of E. H. Miller, Plott Boyd and Joseph W. Little from the Council and Messrs. [illegible] and J. F. Owen.

Third: This Committee of five has been in communication at the sessions of this meeting, and plans to attend some [illegible] Council.

Fourth: The Corporation Counsel has drawn an application [illegible] of your committee to be submitted to the North Carolina Committee appointed under the National Recovery Act, for funds for an Asheville Airport.

Fifth: Your Committee is pleased to report that in the present situation the public generally very wise spread interest has been shown in the [illegible] of an Airport for Asheville, and we believe it is one of the [illegible] with which the Council at this time.

Respectfully submitted,

E. H. Miller
J. W. Little
ALDON [illegible]

October 26, 1933.

Attached hereto, and as a part of this report, is submitted letter from Mr. T. A. Uzzell, Jr., President of Asheville Aviation Association.

A motion made by Councilman Crow, seconded by Councilman Avery, that the report of the Committee be adopted carried.

Councilman Miller moved, seconded by Councilman Avery, that the City send the Commissioner Counsel to the Institute of Government to be held at Chapel Hill

This motion carried, all members of the Council present voting "aye" except Councilman Brookshire.

There being no further business, the meeting, on motion, adjourned.

[illegible]

City Clerk

Thursday, November 2, 1933- 4:30 P. M.

The City Council met in regular session; Mayor Wamboldt presiding. Present: Councilmen A. C. Avery, John E. Baumberger, H. G. Brookshire, Plott Boyd, Chas. F. Crow, Joseph W. Little, E. H. Miller and Wikes Wamboldt. The minutes of the previous [illegible] read and approved.

The members of the Committee of Five of the Airport Committee who attended the meeting at Aiken, S. C., October 27th and 28th made a report stating that the various associations represented indorsed the Asheville Airport project and pledged their support.

The report was ordered filed for information.

Councilman Little presented that the Council authorize an invitation be extended Mayor Cope of Winston-Salem to visit Asheville on November 6th when M. O. Dunning of [illegible], Dr. of the Western Air Transport and Dr. L. B. Owens, Mayor of Columbia plan to visit Asheville to confer with U. S. Senator Reynolds on several Federal projects. Councilman Avery moved, seconded by Councilman Miller that the request be granted.

A motion made by Councilman Avery, seconded by Councilman Crow, that the City Manager be authorized to request the Board of Financial Control to approve $55,000.00 [illegible] emergency relief for the month of November. This motion carried unanimously.

Miss Bessie Himes, President of the Junior Rhododendron Club and Mr. J. E. Sivilrlies representing the West Asheville Mens' Club requested that the Junior Rhododendron Club and the West Asheville Business Mens Club be included jointly in the [illegible] the West Asheville Community Club for the Club House at Rhododendron [illegible].

Councilman Brookshire moved, seconded by Councilman Baumberger, that action [illegible] Club House be deferred for one week and that Mayor Wamboldt appoint a committee of three to study the question and made recommendations to the Council.

Mayor Wamboldt appointed Councilmen Brookshire, Baumberger and Crow.

Councilman Avery moved, seconded by Councilman Crow, that the meeting recess until 8:00. This motion carried.

Mayor

City Clerk



Thursday, November 2, 1933- 8:00 P. M.

The City Council met in regular session: Mayor Wamboldt presiding. Present: Councilmen A. C. Avery, John E. Baumberger, Plott Boyd, H. G. Brookshire, Charles F. Crow, Joseph W. Little, E. H. Miller, R. H. [illegible] and Wikes Wamboldt.

It was moved by Councilman [illegible] that a new committee of Councilmen to study the question of the erection on the Recreation Park of a Community Club House, [illegible] committee was appointed: Mayor Wamboldt, Councilmen Baumberger and Councilman Boyd.

Councilman Avery offered the following resolution, which was seconded by Councilman Little:

Be it resolved by the City Council of the City of Asheville that the sum of [illegible] for debt service for the fiscal year 1933-1934 be and the same is hereby appropriated, to-wit: $[illegible].

On being put to a vote the following Councilmen voted "aye" A. C. Avery, Plott Boyd, H. G. Brookshire, Chas. F. Crow, Joseph W. Little, E. H. Miller, R. H. [illegible] and Wikes Wamboldt, Councilman John E. Baumberger voted "no", the resolution was [illegible].

Councilman Miller moved that the Council adjourn.

Mayor

City Clerk

Thursday, November 2, 1933- 8:30 P. M.

The City Council met in regular session: Mayor Wamboldt presiding. Present: Councilmen John E. Baumberger, Plott Boyd, H. G. Brookshire, Charles F. Crow, Joseph W. Little, E. H. Miller, R. H. [illegible] and Wikes Wamboldt. The minutes of the previous meeting were read and approved.

The report of the jury appointed to assess damages in connection with the opening for the widening of Biltmore Avenue from Park Square to the Southern Railway was presented and filed, together with letter of acceptance from the jury.

It was moved by Councilman [illegible], seconded by Councilman Miller, that the report be received for information.

On motion of Councilman Boyd, seconded by Councilman [illegible] from the Asheville Planning Commission recommending that the City Council give favorable consideration to the project of a [illegible] Park [illegible] Asheville, was unanimously ordered referred to the Highway Commission.

Councilman Crow moved, seconded by Councilman [illegible] that the property of Mrs. T. P. Wright is being [illegible] assessments and taxes for the fiscal year 1933-1934 on [illegible] which property he does not own, be referred to the City Manager. Motion carried.

On motion of Councilman Plott Boyd, seconded by Councilman Ernest H. Miller, a resolution authorizing the Mayor to execute a quit claim deed to property purchased by the City of Asheville by tax foreclosure suit was unanimously carried.

A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE QUIT-CLAIM DEED TO PROPERTY ACQUIRED BY THE CITY OF ASHEVILLE BY TAX FORECLOSURE SUIT.

WHEREAS, it has been brought to the attention of the Council that the property mentioned by description below was sold by the City in error and the same should be deeded back to the original owners: and

WHEREAS, Addie Lee Swayngin was duly appointed guardian for Eugene and Vincent Cooper on November 15, 1924, and that said property was originally the property of J. R. Cooper, father of the above mentioned Eugene and Vincent Cooper; J. R. Cooper died January 1934. There is recorded in the office of the Register of Deeds of Buncombe County, Book 387, Page 587, a judgment dated December 7, 1926, signed by his Honor, Micheal Schenck, Judge presiding at Buncombe County Superior Court, vesting this said property to Addie Swayngin, guardian of Eugene and Vincent Cooper, Mrs. Swayngin to have possession of the property until the Cooper children become of age. One is now 21 and the other 19; and

[illegible] property shall be [illegible] to Eugene and [illegible] 1952 taxes or the presentation to the Tax [illegible].

[illegible] BY THE CITY COUNCIL [illegible] CITY OF ASHEVILLE:

[illegible] City of Asheville be and he is hereby authorized and [illegible] to the property listed below, said deed to be [illegible], subject [illegible] to J. E. Cooper.

| LOT | SHEET | LAND |
|---|---|---|
| [illegible] | 5 | 1 |

[illegible] resolution, this the 9th day of [illegible].

Clyde Boyd
COUNCILMAN

ATTEST:
Ernest T. Miller
COUNCILMAN

[illegible], this the 9th day of November, 1953.

Vickers Archbold
MAYOR

R. L. Thompson
CITY CLERK

[illegible] appointed to consider the leasing of the Club [illegible] for permission to defer action was granted.

[illegible] Council [illegible] proposals of sale [illegible] further time. This request was

[illegible] City [illegible] the possibility [illegible] Park, [illegible] part of the [illegible] for such a pool [illegible] that the City [illegible] pool [illegible] Government.

[illegible] by Councilman Rainey, that a committee be [illegible] the possibility of building a swimming pool [illegible] Allen, Bumgarner and Rainey were appointed to serve.

[illegible] by the [illegible] adequate volume of water [illegible] greatly [illegible] the residents on Deco Street in construction of a [illegible] sewer from the Laurel Court [illegible] in the sum $1,185.00.

[illegible] by Councilman Bumgarner, voted on and [illegible] be authorized to [illegible] the water line [illegible] by the City Engineer.

[illegible] Gilbert, duly seconded by Councilman Bumgarner, that [illegible] duly put carried unanimously.

[illegible]

City Clerk



[illegible]

To the [illegible]

[illegible]

[illegible]

[

[illegible] for the purpose of WIDENING HILL[illegible]

[illegible] by the City Engineer from [illegible]

[illegible] lots for said purpose, to be [illegible]

[illegible] on the 11th day of October [illegible]

[illegible] by the Mayor of said City, [illegible]

[illegible] jury for said purpose [illegible]

[illegible] Brown, respectfully report [illegible]

[illegible] VIRGIN[illegible] [illegible] to Official AVENUE, [illegible] also to [illegible]

[illegible] Benefited Dollars.

| No. | Name | Amount |
|---|---|---|
| | [illegible] Parker | 1,101.00 |
| | " " " " " " " | 750.00 |
| | " " " " " " " | 750.00 |
| | [illegible] | 2,250.00 |
| | [illegible] | 900.00 |
| | [illegible] | 1,771.00 |
| | [illegible] | 1,755.00 |
| | [illegible] Corporation | 1,611.00 |
| | [illegible] Virginia | 1,132.00 |
| | [illegible] | 2,250.00 |
| | [illegible] | 5,175.00 |
| | [illegible] | 105.00 |
| | " " " | 105.00 |
| | " " " | 105.00 |
| | " " " | 138.00 |
| | [illegible] | 123.00 |
| | [illegible] Co. | 105.00 |
| | " " " " | 105.00 |
| | " " " | 105.00 |
| | [illegible] | 23.54 |
| | " " " " " | 80.17 |
| | [illegible] | 25.84 |
| | [illegible] | 42.20 |
| | [illegible] Paper Company | 44.00 |
| | [illegible] Investment Corporation | 263.22 |
| | [illegible] Realty Company | 1,845.00 |
| | [illegible] | 899.20 |
| | " " " " | 24.20 |
| | [illegible] Village | 459.90 |
| | [illegible] | 82.40 |
| | [illegible] | 50.25 |
| | | $ 28,078.21 |

[illegible] Benefited Dollars

| No. | Name | Amount |
|---|---|---|
| | [illegible] J. E. R. Parker | $ 848.60 |
| | " " " " " " " | 126.50 |
| | " " " " " " " | 168.50 |
| | [illegible] | 718.50 |
| | [illegible] | 147.50 |
| | [illegible] Chesapeake | 851.90 |
| | [illegible] Jr. Estate | 574.00 |
| | [illegible] Realty Co. | 363.00 |
| | [illegible] Co. of Virginia | 871.00 |
| | [illegible] | 473.00 |
| | [illegible] T. C. Smith | 737.00 |
| | " " " " | 810.60 |
| | " " " " | 287.10 |
| | " " " " | 849.70 |
| | " " " " | 195.80 |
| | " " " " | 289.80 |
| | " " " " | 809.60 |
| | [illegible] | 598.40 |
| | [illegible] | 522.10 |
| 1 | [illegible] Trust Company | 211.20 |
| 2 | " " " " " | 220.00 |
| 3 | " " " " " | 220.00 |
| 4 | [illegible] Oil Company | 165.00 |
| 5 | " " " | 165.00 |
| 6 | " " " | 165.00 |
| 9 | " " " | 165.00 |
| 10 | [illegible] Life | 669.90 |
| 11 | Com. Coal Mining & Company | 132.00 |
| 14 | " " " " | 207.90 |
| 15 | " " " " | 438.90 |
| 17 | Mrs. Belle Meyers | 49.06 |



November 15, [illegible]

| No. | Name | Amount |
|---|---|---|
| 1 | [illegible] | [illegible] |
| 2 | " " " | [illegible] |
| 3 | " " " | [illegible] |
| 4 | [illegible] Jr. [illegible] | [illegible] |
| 5 | " " " " " | [illegible] |
| 6 | [illegible] | [illegible] |
| 7 | [illegible] | [illegible] |
| 8 | Woodmont Bank & Trust Co. | [illegible] |
| 9 | Central Investment Corporation | [illegible] |
| 10 | [illegible] | [illegible] |
| 11 | [illegible] | [illegible] |
| 12 | " " " " | [illegible] |
| 13 | [illegible] | [illegible] |
| 14 | [illegible] | [illegible] |
| 15 | [illegible] | [illegible] |
| 16 | [illegible] | [illegible] |
| 17 | [illegible] | [illegible] |
| 18 | [illegible] | [illegible] |
| 19 | [illegible] | [illegible] |
| 20 | [illegible] Investment Company | [illegible] |
| 21 | " " " | [illegible] |
| 22 | " " " | [illegible] |
| 23 | [illegible] | [illegible] |
| 24 | [illegible] Life Ins. Co. [illegible] | [illegible] |
| 25 | [illegible] | [illegible] |
| 26 | [illegible] | [illegible] |
| 27 | [illegible] | [illegible] |
| 28 | J. B. Otey & J. K. [illegible] | [illegible] |
| 29 | [illegible] Investment Co. | [illegible] |
| 30 | " " " | [illegible] |
| 31 | [illegible] Realty Corporation | [illegible] |
| 32 | M. M. Myers & E. B. [illegible] | [illegible] |
| 33 | " " " " " " | 61.[illegible] |
| 34 | M. Meyers & E. B. Fontaine | [illegible] |
| 35 | [illegible] | [illegible] |
| 36 | [illegible] | [illegible] |
| 37 | Morris Meyers | [illegible] |
| 38 | [illegible] Investment Co. | [illegible] |
| 39 | [illegible] | [illegible] |
| 40 | Byrne Loughran | [illegible] |
| 41 | Raymond Parker | [illegible] |
| 42 | Frank Loughran | [illegible] |
| 43 | [illegible] Hermann Company | [illegible] |
| 44 | [illegible] | [illegible] |
| 45 | [illegible] | [illegible] |
| 46 | Alfred J. Wilson | [illegible] |
| 47 | E. M. & Mary B. Brandon | [illegible] |
| 48 | Byrne Loughran | [illegible] |
| 111 | " " | [illegible] |
| 112 | [illegible] | [illegible] |
| 113 | Edward [illegible] Myers | [illegible] |
| 114 | South Atlantic Investment Corp. | [illegible] |
| 115 | " " " " | [illegible] |
| 116 | " " " " | [illegible] |
| 117 | [illegible] | [illegible] |
| 118 | Mrs. Jessie B. Gilmore | [illegible] |
| 119 | [illegible] | [illegible] |
| 120 | [illegible] | [illegible] |
| 121 | Mrs. [illegible] A. Hull | [illegible] |
| 122 | Delorme Hilliard | [illegible] |
| 123 | [illegible] C. Hilliard | [illegible] |
| 124 | Margaret J. Campbell | [illegible] |
| 125 | [illegible] | [illegible] |
| 126 | [illegible] | [illegible] |
| 127 | Mrs. [illegible] A. Hull | [illegible] |
| 128 | Penn Mutual Life Insurance Co. | [illegible] |
| 129 | New York Life Insurance Co. | [illegible] |
| 130 | Consolidated Realty Corporation | [illegible] |
| 131 | Mrs. Anne C. Cocke, Elizabeth [illegible] | [illegible] |
| | [illegible] Campbell Kling | |
| 132 | [illegible] | [illegible] |
| 133 | Mrs. C. W. Webster | [illegible] |
| 134 | [illegible] Investment Co. | [illegible] |
| 135 | F. M. Breck | [illegible] |
| 136 | " " " | [illegible] |
| 137 | [illegible] | [illegible] |
| 138 | Consolidated Realty Corporation | [illegible] |
| 139 | P. L. Stone | [illegible] |
| 140 | Blue Ridge Building & Loan [illegible] | [illegible] |
| 141 | F. M. Mitchell | [illegible] |
| 142 | Chas. French Toms, Jr. | [illegible] |
| 143 | Consolidated Realty Corporation | [illegible] |
| 144 | R. E. Bryant Estate | [illegible] |
| 145 | Carl V. Reynolds & [illegible] | [illegible] |
| 146 | The Household of Ruth No. [illegible] | [illegible] |
| 147 | R. E. Bryant | [illegible] |
| 148 | Kenneth Bexrode | [illegible] |
| 149 | J. A. Wilson | [illegible] |
| 150 | [illegible] J. [illegible] & J. [illegible] Fisk | [illegible] |
| 151 | " " " " " " | [illegible] |
| 152 | " " " " " " | [illegible] |
| 153 | City of Charlottesville (Streets) | [illegible] |
| | | $ [illegible] |

Owen Guthrie
Fred W. Dodd
R. V. Miller
B. C. Outlaw
Lion F. Roberts
William Coleman

, the meeting, on motion, adjourned.

City Clerk.

Tuesday, November 13, 1928- 4:30 P. M.

by the following vote: Mayor Rumbold presiding.
, John B. Henderson, Plott Boyd, H. G. Brookshire,
, F. V. Wilson, Wickes Warbolt, City Manager,
Corporation Counsel, C. E. Brookstock. The minutes of the
approved.

in Block on Iron Park to the
to the Council by Messrs.Don Young,
of the Men's Club of West Asheville.
Men's Club to enlarge the
present house. After this
motion, seconded by Mayor
to the West Asheville Community Club
, a member of the Junior Rho Omicron
of the lease to the West
Junior Men's Iron Club, given equal
Kimsey's motion was offered by Councilman
, that no action be taken on the lease
report.

Frank McCoy, representing certain persons
, asked water being cut off where much
Councilman Miller moved, seconded by Councilman Boyd,
City Manager to work out if the

, Mr. Don Young, asked that the city
. Mr. Young pointed out that Mr. Winn
with his wife and one colored woman;
that by these, he couldn't find work in this line,
living for himself and family. The
the revenue ordinance had already been passed
and that it was an enormous cost. The Council
, but could find no way to legally change the situation.

Bill for the Iron Park water line in the amount of $1,496.85 was
B. C. Outlaw. A motion by Councilman Miller, seconded by Councilman
the City Manager and Corporation Counsel.





, for
ported. Voting "Aye" Councilmen
voted: voting "Nay" Councilman Miller.

, on motion
been on
to

of P. T.

, and
ordinance
ordinance
Miller asked
Attorneys
Councilman Boyd

Present:
C. E. Brookstock
Councilmen
L

City
received by
men on women on
Brookshire, Miller,
Boyle, and
an ordinance
women to
Miller asked
Attorneys
Councilman Boyd

Council that
ment, for funds
Main Street from
A motion of Councilman
be referred to the Council

...Council that certain improvements and ... had been recommended by ... Caroling, Mr. D. E. Sevier ... $2,500. Councilman Avery ... that the expenditure be authorized.

...activities of the Airport Committee was given by ... application for loan for this ... Letter from the office of He... by Councilman Crow, seconded by Councilman ... Eugene B. Vogel, Director ... C. The Mayor pointed out that Mayor Wamboldt ... Engineer, in regard to street widening ...

...ation, and journed.

City Clerk

...day, November 27, 19... 7:30 P. M.

...session: Mayor Wamboldt presiding. Present: ... Plott Boyd, J. J. Brookshire, Chas. W. Crow ... Wamboldt, City Manager, George L. Mackey and ... Minutes of the previous meeting were read ...

...the matter of the jury proceeding now pending and duly ... Avenue from Park Square to South Side Avenue ... Coxe, Jr., and W. F. P. Coxe, ... information on hand by Mr. J. Barnard, Attorney for The Provident ... Philadelphia.

...offered by Councilman Brown and carried that ... in the minutes.

...:

...:

...Coxe, Jr., and W. F. P. Coxe, the ... Avenue in the City of Asheville, designated as ... by the City Engineer and used in connection ... Avenue in said City, are dissatisfied with the amount ... said premises, and the amount of special benefits, ... assessed against the same, as the same appear upon the ... purpose of awarding damages and assessing benefits ...enia of Biltmore Avenue, and approved by the City ...

...you will please take notice that the lots above indicated are the same ... about 1923, at which time benefits and damages were justly ... proceedings wherein it is found that the benefits ... equal to the damages to these lots due to reducing their ... damages to lots No. 1, on which a building ... Thousand ($1,000.00) Dollars in excess of the benefits apportioned ... At that time the benefits charged against these three lots were ... ten feet of depth off the front ofthese lots to ... For this reason and the fact that these lots have ... for any advantage obtained by them, and that the present ... benefits and damages on the adjoining property, being the Standard Oil Company, ... the Standard Oil Company in exactly the same manner that the ... in or about 1922, and that the only difference in the condition of the two properties is due to the difference in the time when the widening ... the different properties. The above owners of Lots Nos. 1, 2 and 21 ... is denied is inequitable, unfair and unjust, and ... additional benefits charged now is excessive, inequitable and unjust.



November ... 19...

...

...

...

...

STATE OF NORTH CAROLINA )
: ...
COUNTY OF BUNCOMBE )

TO:
The City of Asheville,
The Council of the City of Asheville.

...will be made to the Court by Messrs. ... of Philadelphia, the owners of the property ... Carroll Avenues, in the City of Asheville, ... made by the City Engineer and used in connection ... Avenue in said City, is dissatisfied with ... said premises, and the amount of special benefits, ... assessed against the same, as the same appear upon the ... the purpose of awarding damages and assessing benefits ...nia of Biltmore Avenue, and approved by the City ... 15, 1923.

...will appear at the next ... Company of Philadelphia, ... appeal from the action of the Council on ... Superior Court of Buncombe County.

This ... day of November, ...

...

By ...

...

A letter from F. P. Coxe, Jr., was read relative to the ... In assessing benefits against lots #38 to 42, inclusive on Biltmore Avenue ... on motion of Councilman Little, seconded by Councilman Miller referred to the Corporation Counsel with instructions to advise Mr. Coxe the legal status.

...ervation board known as the Committees of the ...ll of Councilman Miller, seconded by ... Black and Gerald Cowen.

... city will work on ... many who have ... Council ... thorough and ...

... Councilman Miller ... to the City ... who will ...

... ster be prepared ... to be considered ...

... may ... mayor in Roosevelt Park who has ... that boat ... part of ... be sold to ... Councilman Crow, ... by Councilman Miller ... by the City ... or.

... appointment of Councilman ... Brookshire ... nomination of Councilman Miller, ...

... the Civil ... Administration ... Mayor ickes Wambolt ... City ... engineer, ... the Administration in putting ... ... men to work at regular wages for ... to work. In this city of sixty eight thousand people ... quota is 1695, the Country quota is 975, ... project ... will be accepted promptly. ... will be ... goal, ... only round ... colored section, water lines for Sewer ... of certain street projects, resurfacing ... beautification program, resiving ... ...

Councilman Little, ... member of the Airport Committee, ... report ... the Airport section of the Aeronautical division ... visit to Asheville to inspect ... report in which he stated he was convinced ... is the only proposition ... which there ... the money to acquire either through the use of ... but that financing would be ... The ... be started as soon as possible. A survey of the ... resolution be drafted and sent to ... project.

... Councilman Avery, and stated, that the ... survey work of the proposed sites, and ... ...

... will be $75.00 for ... entertainment of ... Councilman Crow, seconded by Councilman ...

... matter of ... cities in North Carolina ... Councilman Newsome, seconded by Councilman Little, and ... Committee, composed of Councilmen Crow, Avery and Boyd, ...

... Councilman Crow, seconded by Councilman Boyd that this ... adjourn until ... at 4:30 P. M. carried.

Mayor

City Clerk



NORTH C...
BUNCOM...

TO:
THE CIT...
A...
OF BUNCOM...

... the ... made ... Avenue, ... the ... amount of ... of the ... approp...

[illegible] COMPANY OF [illegible] appeal to the [illegible] Court of [illegible].

[illegible]

[illegible]

[illegible]

[illegible]

[illegible]

[illegible] in the City Engineer, [illegible] in the City, [illegible] of ALICE C. [illegible]SBORO [illegible] in the [illegible].

[illegible] ALICE C. [illegible]SBORO[illegible], [illegible] to the [illegible] is dis[illegible] to s[illegible] by the City [illegible]

[illegible], that the said ALICE C. [illegible]SBORO[illegible], in [illegible] of the Jury [illegible] on the [illegible] of the [illegible] appeal to the [illegible] Court of [illegible].

[illegible]

[illegible]

L. C. Cl[illegible]sborough
vs.
[illegible]UNTY

[illegible]

[illegible] Council in behalf of the widow of [illegible]. [illegible] property corner of Hill and Avenue, [illegible] in the [illegible] of the [illegible].

[illegible], seconded by Councilman [illegible], and carried, [illegible] action. Mayor Penhall [illegible], [illegible] by the committee.

[illegible], Chairman of the Building Committee, recommended that the [illegible] Public Works Administration for funds for [illegible] will be met and will ask that the plans be [illegible] recommendations to the Council.

[illegible] by Councilman Miller, and carried, that the [illegible] to the City Engineer in accordance with [illegible].

[illegible] investigation of the complaints of the city relief [illegible] will see [illegible] whatever to do with the civil service work [illegible] be written to Mr. O'Berry [illegible] and asking him to visit Asheville [illegible].

by Minute Docket 54, page 58, City of Asheville:

COUNCILMAN

COUNCILMAN

COUNCILMAN

clerk of Commons;

report upon the

by authority

to make appli-

to construct a bridge

with the pro-

submitting to

to be issued

all indebtedness, and obligations

be authorized to have a special

to submit the

and that

city be

for a fifty

Brook

CITY CLERK

Commissioner

December 14, 1927

Mayor Penland

CITY CLERK

Thompson

City Clerk

proof of becoming a reality.

Brookshire, duly seconded,

Ayes.

Attest:

City Clerk



The City Council met in regular session; Mayor Penland presiding. Present: Councilmen A. C. Avery, John E. Baumbgarner, Clint Boyd, W. G. Brookshire, Chas F. Crow, Joseph W. Little, E. H. Miller and Wickes Rumbough, City Manager H. Ward, and Corporation Counsel S. E. Blackstock.

The minutes of the previous meeting were read and approved with the following correction: Councilman Brookshire voted "no" on the motion to authorize the sale of street sweeper.

✓

The request of Mrs. Josephine Hamilton for relief from her high water rates was on motion of Councilman Baumgarner, seconded by Councilman Little, referred to the Finance Committee for investigation and report.

✓

An affidavit from E. M. Palmer showing a shortage of eight inches in the water pipe to his home 230 Pennsylvania Avenue and his request that the rate be reduced so it can be enforced was on motion of Councilman Hilton, seconded by Councilman Boyd referred to the Corporation Counsel for investigation and recommendation.

✓

Mr. J. E. Wilson, Attorney, for his client Charles E. Hamlin, Trustee, requested that a quit claim deed be executed by the City and a refund of taxes collected on property foreclosed by City for 1927 taxes.

It was moved by Councilman Crow, seconded by Councilman Baumgarner, and carried, thatthe request be referred to the Tax Refund Committee.

✓

Councilman Avery representingthe Committee appointed to revise the order of business and suggest rules or conduct for the members of the Council recommended the adoption of resolution establishing order of business and rules.

On motion of Councilman Crow, seconded by Councilman Avery, A Resolution establishing the order of business and rules of conduct of the Council was unanimously adopted.

RESOLUTION

Resolved by the City Council.

That in order to facilitate the orderly conduct and deliberations of the City Council and maintain decorum in said body and in transacting business before said Council, the following Order of Business and Rules of Conduct be and the same are hereby adopted:

RULES AND REGULATIONS FOR PROCEEDINGS AND CONDUCT OF BUSINESS OF THE CITY COUNCIL OF THE CITY OF ASHEVILLE.

ORDER OF BUSINESS

At all regular meetings of the Council, the order of business shall be as follows:

1. Call to order and roll-call
2. Reading and approval of minutes of last preceding meeting
3. Communications
4. Unfinished business
5. Reports of Committees of Council
6. New Business
7. Reports and recommendations of the City Manager
8. Hearing of citizens on pertinent matters.

RULES OF CONDUCT.

1. The observance of decorum by members of this Council is not only due to themselves and to one another, as gentlemen assembled together to deliberate on matters of common importance and interest, but it also essential to the regular and satisfactory proceedings of this body, and the dignity of this municipality.

2. Any member of the Council wishing to speak shall rise, address the presiding officer and gain his recognition before proceeding. While speaking he shall not be interrupted without his permission.

3. No member of the Council shall speak more than once to the same question, without leave of the Council, unless he be the mover, proposer or introducer of the matter pending, in which case he shall be permitted to speak in reply, but not until every member choosing to speak shall have spoken.

4. In speaking members of the Council shall confine themselves to the matters under discussion without digression, and it is highly reprehensible for any

member to deal in personalities, or to reflect upon the person or motives of a member.

5. The city charter provides that the Council shall "by rules provide for giving citizens reasonable opportunity to be heard at its meetings in regard to matters there under consideration", and the Council considers it not only a duty but a pleasure to have the assistance and advice of the patriotic citizens of the city on any problem confronting this community. Also, if any citizen feels he has a grievance, within the province of the Council to remedy, he shall be allowed to state it; but personnal attacks, while the Council is in session, by any citizen on the Council as a whole or any of its members is highly improper and an abuse of the privileges of the Council floor, and any citizen so offending shall be speedily stopped by the presiding officer.

6. Any person desiring to prefer charges against the City Manager shall do do in writing and file the same with the Council, which shall examine said charges, and, if in the judgment of the Council the allegations justify it, and investigation of said charges shall be made by the Council or a committee appointed by it.

7. Under the city charter the Manager appoints all city employees in the administrative service of the city, except those under civil service; they are responsible to him for their conduct and he can remove them at will. Therefore, any person who desires to make a charge against a city employee, except those under civil service, shall file said charges with the City Manager, who, if the facts warrant it, shall investigate said charges and make his decision thereon. As the Council has the same power as the City Manager to investigate the conduct of city employees, the complainant, if not satisfied with the decision of the Manager, may file his charges with the Council and request the Council to investigate, and if after an examination of the charges, the evidence taken in regard thereto and the decision of the Manager, the Council is of the opinion that justice has not been done, then it may investigate said charges and make its findings in regard thereto.

8. It shall be the duty of the presiding officer of this Council to enforce the rules and orders of the Council in all its proceedings, and this without question, debate or delay, in all cases in which the breach of the order or the departure from the rule is manifest. It is also the right of every member taking notice of a breach of a rule to insist upon its enforcement in the same manner.

9. That the rules of precedure set out in the revised edition of Cashing's Manual of Parliamentary Practice shall govern the Council, except when in conflict with the for going rules.

I move the adoption of the foregoing resolution.

C. F. Crow
Councilman

Seconded by: A. C. Avery
Councilman

Councilman Boyd, Chairman of the Highway Committee, reported that authority has been secured from the C. W. A. to secure funds for material to widen Merrimon Avenue, provided the City furnish rights of way, and Mr. H. C. Johnson presented petitions signed by majority of property owners agreeing to donate land for the rights of way for a street 38 feet wide between curbs, and a 6 foot sidewalks.

Councilman Crow moved, seconded by Councilman Miller, thatthe City Manager be instructed to notify the Civil Works Administration that the City is ready to start widening Merrimon Avenue, motion carried unanimously. Councilman Avery moved that in recognition of the splendid work done by Mr. Johnson in securing rights of way that the work be started at the other end of the street, Councilman Miller seconded this motion, which carried unanimously.

A motion of Councilman Crow, seconded by Councilman Miller, that the same action be taken in regard to widening Broadway, the City Manager instructed to notify the Civil Works Administration thatthe City is ready to start widening. This motion carried.

In response to the request of the City that the Federal Works Administration has agreed to furnish funds to pay for all labor and for part of material required for clearing rights of way and restoring building damaged for the widening of Biltmore Avenue provided the City will give assurance that approximately $4,500 will be furnished, a resolution from citizens promising and agreeing to furnish the money needed provided the City will pay back such sums so advanced out of collection of benefits assessed, was read.

Asheville, N. C., December 14, 1933

WHEREAS, in response to the request of the City of Asheville, the Federal CWA has agreed to furnish funds to pay for all labor and for part of the material required for clearing the right-of-way and restoring buildings damaged for the widening of Biltmore Avenue, in accordance with the plans and specifications of the City Engineer, provided the City will give assurance that the money needed, approximately $4500.00, to pay for



the balance of said material, will be promptly [illegible]

WHEREAS, as this assurance must be given at once, and because of existing financial conditions, the City is not now able to give this prompt assurance, it has become necessary, in order to avail itself of this offer of the Federal CWA, that the citizens of its citizens, in giving this assurance promptly.

NOW, THEREFORE, in order that the City may give such assurance promptly, so as to receive the offered assistance of the Federal CWA in making said much needed and greatly desired public improvement, the undersigned does hereby promise and agree to pay to the City of Asheville, to furnish, when and as called for by said City, the amount of money set opposite his name, as may be required for the purchase of said material which the City must furnish in accordance with said assurance; provided that the City will pay back said sums so advanced by the undersigned, out of the collections to be made by the City of benefits assessments now assessed against properties on Biltmore Avenue and Square and will assign said benefit assessments to the County for the payment of said advancements so to be made by the undersigned.

| | |
|---|---|
| Haywood Parker | $500.00 |
| Frank Loughran | 500.00 |
| T. C. Smith | 500.00 |
| N. N. Beadles | 500.00 |
| Coca Cola Battling Co. Inc. | 150.00 |
| Consolidated Realty Co. by Haywood Parker with authority of Francise Heazle | 500.00 |
| Smith Building By Mark W. Brown, Atty. | 500.00 |
| Edith R. Reynolds by C. V. Reynolds | 500.00 |
| Publix Bamford Theatres by C. R. Bamford | 150.00 |
| Morris Meyers | 150.00 |
| Ottis Green | 100.00 |

Mr. Richard Loughran and N. N. Beadles [illegible] for remaining $150.00

BILTMORE [illegible]

Resolution providing for procuring emergency funds with which to supplement funds from the Civil Works Administration of the United States Government for the opening and widening of Biltmore Avenue, and in order that men might be put to work, was on motion of Councilman Plott Boyd, seconded by Councilman [illegible], unanimously adopted. All members of the Council present voting "Aye".

RESOLUTION

RESOLUTION PROVIDING FOR PROCURING EMERGENCY FUNDS WITH WHICH TO SUPPLEMENT FUNDS FROM THE CIVIL WORKS ADMINISTRATION OF THE UNITED STATES GOVERNMENT FOR THE OPENING AND WIDENING OF BILTMORE AVENUE, AND IN ORDER THAT MEN MIGHT BE PUT TO WORK.

WHEREAS, a condemnation proceeding has heretofore been instituted by the City Council of the City of Asheville for the opening and widening of Biltmore Avenue and a jury has been placed therein, which report was confirmed by the city council on November 15, 1933; and,

WHEREAS, it was contemplated in the proceedings that the benefit assessments should be assigned to the Public Works Administration of the United States Government in the return for cash with which to procure materials therefor and pay damages for the widening of said street; and,

WHEREAS, the Public Works Administration has declined the benefit assessments as security for the advancement of [illegible] funds; and,

WHEREAS, since said time, the Civil Works Administration of the United States Government has agreed to furnish all of the money necessary to pay for the cost of materials and labor essential to the widening of Biltmore Avenue and the reconstruction of store fronts, with the exception of approximately forty-five hundred ($4,500.00) dollars; and

WHEREAS, if the City were enabled to employ forty-five hundred ($4500.00) dollars of its own money, an additional sum of approximately [illegible] would be expended by the Federal Government in opening and widening said Avenue and in the employment ofmen, and in the purchase of materials; and,

WHEREAS, the City Council of the City of Asheville deems the opening and widening of Biltmore Avenue as desirable in the general scheme of development in the city of Asheville, and as a cooperative project in placing men to work; and,

WHEREAS, certain citizens who own property on Biltmore Avenue, and who believe that the opening and widening of said avenue will be highly beneficial to all of the property owners in said section of said city, and who desire to procure the benefit of funds from the Civil Works Administration, have offered to lend to the City approximately forty-five hundred ($4500.00) dollars with which to meet the demands of the Civil Works Administration and as a condition precedent to obtaining as a gift or grant all the remaining necessary funds from the Civil Works Administration with which to open and widen Biltmore Avenue.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ASHEVILLE:

That as soon as:

(a) This resolution shall be approved by the Board ofFinancial Control of Buncombe County;

(b) This resolution shall be approved by the Local Government Commissio of the State of North Carolina, at Raleigh, North Carolina; and,

(c) Written donations of rights-of-way, necessary to be taken in the widening of Biltmore Avenue, shall be given by property owners on t east side of Biltmore Avenue;

the Director of Finance of the City of Asheville is hereby authorized to acc from individuals above referred to, citizens of the City of Asheville owning property on Biltmore Avenue, a loan or advancement of funds in an amount not to exceed fine thousand ($5,000.00) dollars, and to set aside or segregate, in the nature of an assignment, upon the accounting records of the City of Asheville, the benefit assessments heretofore made by the City Council, adopted November 15, 1933, same to constitute a security for the re-payment of such sum or sums so advanced, and the Director of Finance in such case is authorized and directed to segregate the collections from the special benefit assessments, heretofore imposed as above set forth on Biltmore Avenue, and to apply same to the re-payment of said loan or advancemet until same shall have been fully repaid.

I move the adoption of the foregoing resolution.

Plott Boyd
COUNCILMAN

SECONDED BY: E. H. Miller
COUNCILMAN

Read, approved, and adopted, this the 14th day of December, 1933.

Wickes Wamboldt
MAYOR

E. G. Thompson
CITY CLERK

APPROVED AS TO FORM:
C. E. Blackstock
CORPORATION COUNSEL.

Councilman Little made a report of his visit to Washington in regard to securing funds for an airport for Asheville, and stated he felt assured the City could get an airport if it goes after it, and he believes that the project is practically assured; that the War Department, Park and Forest Service and Postoffice department seemed to favor the project. He praised the cooperation of Senator Robert R. Reynolds and introducted a resolution expressing the Council's sincere and cordial appreciation for the very generous activities which he displayed in behalf of the Asheville Airport. Councilman Avery seconded the resolution which was unanimously adopted. Councilman Avery expressed the appreciation of the Council for the work done by Councilman Little in Washington.

RESOLUTION

Be it resolved by the City Council of the City of Asheville that we hereby express to the Hon. Robert R. Reynolds, United States Senator from North Carolina, our sincere and cordial appreciation for the very generous and helpful activity which he has displayed in behalf of an Asheville Airport.

Be it further resolved that this resolution be recorded on our minutes and a copy of the same be transmitted to Senator Reynolds under the seal of the City.

This 14th day of December, 1933.



On motion of Councilman E. H. Miller, seconded by Councilman C. F. Crow, Ordinance #198, entitled An ordinance levying taxes for the fiscal year 1933-1934 for the City of Asheville, and repealing Ordinance #197 passed on December 7, 1933 was passed on its first reading. Voting "aye" Councilmen Councilmen Avery, Boyd, Brookshire, Crow, Little, Miller and Wamboldt, voting "no" Councilmen Baumberger.

Councilman Averymoved that the rules be suspended the ordinance immediately put upon its second and third readings. This motion was seconded by Councilman Miller and unanimously adopted, all members voting "aye".

On motion of Councilman Crow, seconded by Councilman Avery the ordinance was passed on its second reading. Voting"Aye" Councilmen Avery, Boyd, Brookshire, Crow, Little, Miller and Wamboldt, voting "no" Councilman Baumberger.

The ordinance was then passed on its third reading on motion of Councilman Crow, seconded by Councilman Avery. Voting for the passage of the ordinance on its third and final reading, Councilmen Avery, Boyd, Brookshire, Crow, Little, Miller and Wamboldt, voting "no" Councilman Baumberger, the ordinance was adopted and declared to be an ordinance of the City of Asheville effective the 30th day of December, 1933.

ORDINANCE #198

AN ORDINANCE LEVYING TAXES FOR THE FISCAL YEAR 1933-1934 FOR THE CITY OF ASHEVILLE; AND REPEALING ORDINANCE #197 PASSED ON DECEMBER 7, 1933

WHEREAS, there was a small error in one of the items contained in the tax ordinance passed on December 7, 1933, being ordinance #197, and in order to correct the same.

THE CITY COUNCIL OF THE CITY OF ASHEVILLE DO ORDAIN:

1. That, pursuant to law, the following rate of taxes is hereby levied for the year 1933, 1934 upon all the taxable property in the city of Asheville:

| | | |
|---|---|---|
| GENERAL FUND | | |
| Operating and Maintenance, | .3091 | |
| CHAMBER OF COMMERCE, | .0296 | |
| DEBT SERVICE | 1.1714 | 1.47 |
| CITY SCHOOLS, DEBT SERVICE | | .17 |
| TOTAL, | | 1.64 |
| POLL TAX, | | 1.00 |

2. That ordinance #197, passed on December 7, 1933, is hereby repealed.

I move the adoption of the foregoing ordinance, this the 14th day of December, 1933.

E. H. Miller
COUNCILMAN

SECONDED BY: C. F. Crow
COUNCILMAN

Rules suspended and immediately put upon its second and third readings and adopted and declared to be an ordinance of the City of Asheville, effective the 30th day of December, 1933. Read, approved, and adopted, this the14th day of December, 1933.

Wickes Wamboldt
MAYOR

E. G. Thompson
CITY CLERK

APPROVED AS TO FORM:
C. E. Blackstock
CORPORATION COUNSEL.

There being no further business, the meeting adjourned.

Mayor Wickes Wamboldt City Clerk

Thursday, December 21, 1933- 4:30 P. M.

The City Council met in regular session; Mayor Wamboldt presiding. Present: Councilmen A. C. Avery, John E. Baumberger, Plott Boyd, H. G. Brookshire, Joseph W. Little, E. H. Miller, H. W. Rainey and Wickes Wamboldt, City Manager, George L. Hackney, and Corporation Counsel, C. E. Blackstock. The minutes of the previous meeting were read and approved.

Corporation Counsel, C. E. Blackstock, reported relative to affidavit of E. M. Rainey concerning city ordinance governing the weighing of fuels, that, in his opinion, the provisions governing fuel sales contained in Section 1159 of Pennell's Code are ample to take care of the control of proper weighing of fuels in the City of Asheville.

Councilman Avery reported that on a recent visit to Washington on private business, he called on the Public Works Administration to ascertain the status of Asheville in obtaining funds and had conferred with several officials, among whom was Mr. Weiner one of the assistants to the Director of Public Works Administration, and that it was his belief that Asheville could not be able to obtain funds for projects because of its debt.

A letter from Mr. Frederick B. Weiner to Mayor Wamboldt was read, in which he confirmed the statement made to Corporation Counsel, C. E. Blackstock, that under existing law there seemed no way to grant loans to Asheville, and stated he was still on the job and to his knowledge no one had questioned the ruling that was made.

Councilman Little stated he had made the remark in regard to being unable to find Mr. Weiner in Washington in a spirit of levity. He reviewed the progress of his efforts to secure an airport for Asheville and stated that since the project had received official endorsement of various departments, he requested that the movement go on and an application for an airport at a cost of $706,491.79 be sent to Chapel Hill at once.

On motion of Councilman A. C. Avery, seconded by Councilman Ernest H. Miller, a resolution authorizing theissuance of tax anticipation warrants of the City of Asheville in a sum of not exceeding thirty thousand ($30,000) dollars was adopted.

Voting "aye" Councilmen Avery, Boyd, Brookshire, Little, Miller, Rainey and Wamboldt. Councilman Baumberger voted "no" and explained that the resolution should be amended to carry 1½ interest before and after maturity.

A RESOLUTION AUTHORIZING THE ISSUANCE OF TAX ANTICIPATION WARRANTS OF THE CITY OF ASHEVILLE IN A SUM OF NOT EXCEEDING THIRTY THOUSAND ($30,000) DOLLARS

WHEREAS, owing to the fact that tax statements have not yet been mailed to the tax payers by the tax collection department of the Board of Financial Control of Buncombe County; and,

WHEREAS, it appears that it may be some weeks yet before any of the 1933 taxes may be collected; and,

WHEREAS, it is necessary for the City of Asheville to borrow money and pledge the tax collections to be derived from the 1933-1934 levy as security therefor, in order to provide current funds for the operation of municipal affairs.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ASHEVILLE:

That, subject to the approval of the Board of Financial Control of Buncombe County, and the Local Government Commission of North Carolina, the Director of Finance, together with the other proper officials of the City of Asheville, be and they are hereby authorized and empowered to sell, as provided by statute, through the Local Government Commission, after due advertisement, tax anticipation warrants in a total sum of not exceeding thirty thousand ($30,000) dollars; said warrants to be in denominations of one thousand ($1,000) dollars payable four months after date of issuance, and to bear interest at a rate of not exceeding three (3%) percent per annum.

BE IT FURTHER RESOLVED THAT said notes or warrants shall constitute a first lien upon the taxes levied for general operation purposes by the City Council of the City of Asheville for the fiscal year 1933-1934.

I move the adoption of the foregoing resolution.

A. C. Avery
COUNCILMAN

SECONDED BY: Ernest H. Miller
COUNCILMAN

Read, approved, and adopted, this the 21st day of December, 1933.

Wickes Wamboldt
MAYOR

APPROVED AS TO FORM:
C. E. Blackstock
CORPORATION COUNSEL.

E. G. Thompson
CITY CLERK



Councilman A. C. Avery moved, [illegible] resolution authorizing the issuance of tax [illegible] exceeding Ten Thousand ($10,000) Dollars [illegible] Little, Miller, Rainey and Wamboldt voted [illegible] Baumberger voted "no", explaining that the resolution [illegible] ¢ and inserting in lieu "1½% before and after maturity".

A RESOLUTION [illegible]
[illegible] ($10,000) Dollars.

WHEREAS, it now appears that the City of Asheville [illegible] County Commissioners of Buncombe County a sum of approximately ($7,000) dollars, through the Board of Financial Control, as its proportionate share of the funds necessary to maintain the [illegible] year 1933-1934; and,

WHEREAS, the Board of Financial Control of Buncombe County has certified [illegible] which will eventually be payable to the City of Asheville in the approximate sum of seven thousand ($7,000) dollars, [illegible] near future the approximately ten thousand ($10,000) dollars; and,

WHEREAS, the City of Asheville has [illegible] pay its proportionate share of the cost of [illegible] County, and deems it advisable to borrow [illegible]

NOW, THEREFORE, BE IT RESOLVED [illegible]:

That the Director of Finance be and he is hereby authorized to negotiate with the Board of Financial Control of Buncombe County and the said Board of Financial Control to the City of Asheville in the sum of ten thousand ($10,000) dollars; and that the Director of Finance of the City of Asheville be and they are hereby authorized to issue bonds in denominations of one thousand ($1,000) dollars each, in the sum of ten thousand ($10,000) Dollars, payable on or before [illegible] and to draw interest not in excess of three (3%) per cent per annum; said bonds to be sold after advertisement, as provided by statute, and such sale shall be approved by the Board of Financial Control of Buncombe County and the Local Government Commission of North Carolina at Raleigh, North Carolina.

BE IT FURTHER RESOLVED that this resolution shall take effect on the date hereinafter prescribed, and after it has been approved by the Board of Buncombe County and the Local Government Commission.

I move the adoption of the foregoing resolution.

SECONDED BY: [illegible]

Read, approved, and adopted, this [illegible]

F. [illegible] Thompson

APPROVED AS TO FORM:
C. E. Blackstock
CORPORATION COUNSEL

City Manager, George L. Hackney, reported that it was necessary by the C. W. A. projects and other work [illegible] the Council authorize the necessary compensation of $300.00 per month to enable him to appoint a Director of Public Works who was [illegible]

It was moved by Councilman Avery, seconded by Councilman [illegible] sanction of the City Manager in regard to [illegible] carried.

Mr. Hackney stated that he had received reports from the [illegible] as well as from the City Engineer [illegible] Engineer in charge of the [illegible] Fork water sheds, that certain machinery was obsolete and should be replaced, and new chlorinators and ammoniators installed [illegible]

Councilman H. G. Brookshire moved, seconded by Councilman H. W. Rainey, that the resolution providing for the purchase of certain equipment and installation thereof on the Asheville water sheds to be used in connection with the Asheville water supply be adopted. All councilmen present voted for the passage of the resolution, except Councilman Baumberger.

... RESOLUTION FOR THE PURCHASE OF CERTAIN EQUIPMENT AND ... ON THE ASHEVILLE WATER SHEDS TO BE USED IN ... ASHEVILLE WATER SUPPLY.

WHEREAS, the equipment now being employed on the Asheville water sheds in the furnishing of pure water to the city of Asheville has been thoroughly inspected by a representative of the Department of Health of the State of North Carolina, as well as the Asheville Department of Health, and certain engineers; and,

WHEREAS, it is found that certain of this equipment has been long in ... is now not adequate to meet the demands of the present time; and,

WHEREAS, it has been ascertained that certain additional equipment is necessary to guarantee a continued supply of the purest water to the City of ...; and,

WHEREAS, the City Council of the City of Asheville deems it essential ... should be left undone in order to guarantee the purest and most ... water supply which can possibly be obtained for the people of Asheville, and deems it advisable to comply with the recommendations of the State ... of Health.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ...:

That the City Manager be and he is hereby authorized to purchase, in ... prescribed by the city charter:

2 Chlorinators,
2 Amoniators,
2 Testing Outfits,
1 Venturi Tube, and

... incidental and related equipment as may be approved by the City and ... Departments of Health, and the engineering department of the City of ...; and to have same installed,;;the total cost of purchase and installation of such new equipment, however, not to exceed a cost of ten thousand ... and twenty-six ($10,226) dollars, said installation to be made at the ... on the water sheds of the city of Asheville and in the manner as may be ... by said departments of health, and by the engineering department of the ... of Asheville. Said equipment to be purchased and installed under the ... of the City Manager, as soon as may be feasible after the necessary funds ... become available.

BE IT FURTHER RESOLVED that a previous resolution authorizing the ... of a chlorinator be rescinded.

I move the adoption of the foregoing resolution.

H. G. Brookshire
COUNCILMAN

SECONDED BY: H. W. Rainey
COUNCILMAN

... read, approved, and adopted, this the 21st day of December, 1933.

Wickes Wamboldt
MAYOR

E. G. Thompson
CITY CLERK

APPROVED AS TO FORM:

C. L. Shuckstock
CORPORATION COUNSEL.

✓

Miss Frank B. McCoy presented a written statement charging that there was partisanism in the distribution of relief funds and that the management of City Relief ... was in efficient and needed investigation.

Councilman Avery moved, seconded by Councilman Rainey and adopted, that the charges be filed with the City Council to be examined to see if investigation shall be held.

✓

On motion of Councilman Miller, seconded by Councilman Avery a vote of thanks was extended to Mr. H. A. Wilson for the beautiful Christmas tree in the Council Chamber.

... motion to further business, the meeting, adjourned.

Mayor Wickes Wamboldt  E. G. Thompson City Clerk



The City ... Councilmen A. C. ..., H. ... B. ... Miller, ... Operation. Council ... an approved.

✓

A communication ... Church requesting ... according to City ... action of Councilman ... the City Manager ... Council.

✓

Councilman ... Broadway and Merrimon Avenue was being enlarged ... would be taken up ... not been decided, ... is given permission to abandon the street ... submitted to a vote of the people. ... of

✓

Councilman Brookshire, Chairman ... Committee, ... application for a loan for a Bridge ... Commerce to the P. W. A.

✓

Mr. Hackney reported that the ... of Trustees of the Firemen's Relief Fund will be vacant ... trustees being Messrs. William E. Redwood ... order for the Council to fill these vacancies ...

On motion of Councilman Miller, ... Redwood and Mr. J. Gerald Cowan were unanimously ...

✓

City Manager George L. Mackey ... as Director of Public Works.

✓

Attorney Charles Buck, ... filed notices of claim of Scott B. ... $938.75 for payment of interest coupons on ...

TO THE ... AND ... YOU ARE HEREBY NOTIFIED ...

Chapter ... of the Private ... by Section ..., Article ..., Chapter ... Session of 1931, that the ... five (55) coupons of ... 1932, on twenty-five (25) ... Dollars ($1,000.00) each, with ... which bonds were dated March 1, ... numbers 181 to 205 both inclusive; and ... the payment of twenty-five (25) ... above enumerated which became ... makes demand for the payment of eleven (11) ... inclusive and ... on bonds ... March 1, 193...; and the undersigned further demands payment of eleven ... coupons on the identical bonds ... a total of One Thousand Six ... ($1,...), ... interest upon the coupons from ... is the owner and ... holder and ...

...COTT B. ...BEY
By H... ...
...

Received the original of
this notice this 28th
day of December, 193...
E. G. Thompson
City Clerk

Asheville, North Carolina
December 28th, 1933.

TO THE MAYOR AND COUNCIL OF THE CITY OF ASHEVILLE:

YOU ARE HEREBY NOTIFIED that pursuant to Section 243 of Chapter 16 of the Private Laws of North Carolina, Session of 1927, as amended by Section 9, Article 1, Chapter 151 of the Private Laws of North Carolina, 1931, the undersigned makes demand for the payment of five (5) coupons of Twenty-three and 75/100 Dollars ($23.75) each, due September 1, 1933, on five (5) City Hall bonds of the City of Asheville, North Carolina, of the denomination of One Thousand Dollars ($1,000.00) each, with interest at four and three-quarters per cent. (4¾%), which bonds are dated September 1, 1926 and which are numbered from bonds numbers 346, 347, 348, 349 and 350; and the undersigned has heretofore demanded payment of the five (5) coupons on the identical bonds which became due March 1, 1933; and theuncersigned has heretofore demanded payment of the five (5) coupons on the identical bonds which became due September 1, 1933; and five (5) coupons on the identical bonds which became due March 1, 1934; and five (5) coupons on the identical bonds which became due September 1, 1934, a total amount now due and owing to the undersigned of Five Hundred Ninety-three and 75/100 Dollars ($593.75), together with interest on said coupons from their maturity, and of which bonds and coupons the undersigned is the owner and holder and payment ofwhich has been refused.

WILLIAM I. SCHAFFER
By Harkins, VanWinkle & Walton
Attorneys for William I. Schaffer

[illegible] original of
the notice this 28th
day of December, 1933.

[illegible]
City Clerk.

[illegible] no further business, the meeting, adjourned.

[illegible]
City Clerk

Thursday, January 4, 1934- 4:00 P. M.

[illegible] Council met in regular session; Mayor Wamboldt presiding. Present: [illegible], Councilmen Avery, [illegible] E. Baumberger, Platt Roy, H. G. Brookshire, Chas. F. Crow, [illegible], [illegible] Mayor Wamboldt, City Manager George L. Mackney and [illegible], C. E. Blackstock. The minutes of the previous meeting were read [illegible].

[illegible] communication from Councilman A. C. Avery stating he had accepted a position [illegible] tendering his resignation as a member of the City Council and Vice Mayor [illegible] be made.

The members of the Council expressed their sincere regret at the lose of Councilman Avery [illegible] to take no action until the next meeting.

January 4th, 1934

[illegible]
City Council:

I have accepted a position on the legal staff of the Home Owners Loan [illegible] duty in Washington January 15th.

This of course necessitates my resigning as a member of the City Council [illegible] Asheville, which resignation I hereby tender, effective on said [illegible].

I regret I [illegible] to sever my connection with the city's affairs at this time when [illegible] several momentous problems confronting the Council in which I [illegible] interest and to which I have given much thought and study. But I have an abiding faith in the intelligence, patriotism, devotion to duty and to the public welfare of the members of the Council, the City Manager and the Corporation Counsel, and that your combined wisdom, working for the common good will alleviate the condition of the [illegible] and the welfare of all the people of this cityand eventually result in a permanent solution of Asheville's many vexing problems.

I want to assure each member of the Council, and all officials of the city government with whom I have worked, of my sincere appreciation of the kindness and consideration shown to me, that I will always cherish the friendships made during our seven months of arduous labors together.

Sincerely yours,
A. C. Avery.



January 4, 1934.

[illegible] Councilman [illegible], reported that the Airport Committee [illegible] modern airport in [illegible].

[illegible], Chairman of the Committee [illegible] Asheville, N. C. [illegible]

WHEREAS, a committee [illegible] Public Works Administration [illegible] collection [illegible] construct a modern airport [illegible] funds with which [illegible] Carolina; and,

WHEREAS, the said committee has [illegible] Public Works Administration, as aforesaid, [illegible] the Commissioner of Chapel Hill, North Carolina, [illegible] formal date, inspecting a formal application [illegible] Asheville and finding the airport committee [illegible];

NOW, THEREFORE, BE IT RESOLVED [illegible] AS FOLLOWS:

That the airport committee of the City of [illegible] consisting of Councilmen Joseph W. Little, E. [illegible] hereby authorized and empowered to make formal application to the Public Works Administration of the United States Government for funds with which to construct a modern airport in the vicinity of Asheville, North Carolina.

BE IT FURTHER RESOLVED that the [illegible] such manner as to make the re-payment of principal [illegible] dependent entirely upon the proceeds [illegible] obligating the City in any manner to pay any [illegible].

I move the adoption of the foregoing [illegible].

[illegible]

Seconded by: [illegible]

[illegible], approved, and adopted, [illegible].

APPROVED AS TO FORM:
C. E. Blackstock
CORPORATION COUNSEL

A resolution directing the City Clerk to [illegible] notice in one of the daily Asheville newspapers, giving notice of a proposed application of motor bus transportation service in the City of Asheville for [illegible] same to take place thirty days after the publication of said notice, or as soon thereafter as may be [illegible] upon, was on motion of Councilman Platt Roy, [illegible] Councilmen [illegible], adopted. Voting "aye" Councilmen Avery, Roy, [illegible], voting "no" Councilman Baumberger.

A RESOLUTION DIRECTING THE CITY CLERK TO [illegible] NOTICE IN ONE OF THE DAILY ASHEVILLE NEWSPAPERS, GIVING NOTICE OF A PROPOSED APPLICATION OF MOTOR BUS TRANSPORTATION SERVICE IN THE CITY OF ASHEVILLE FOR THE PURPOSE OF SUBSTITUTING MOTOR BUS TRANSPORTATION SERVICE FOR STREET RAILWAY CAR SERVICE, THE SAME TO TAKE PLACE THIRTY DAYS AFTER THE PUBLICATION OF SAID NOTICE, OR AS SOON THEREAFTER AS MAY BE [illegible].

WHEREAS, in may municipalities throughout the United States, and in North Carolina, including the city of Raleigh, city of Greensboro, city of Durham, and others, it has been deemed wise by the people, or the governing bodies, of those cities that street railway transportation service should be discontinued and motor bus transportation service should be substituted therefor: and,

...connection with the widening and paving of certain streets in ... at the present time, by the use of money furnished by the federal ..., it was suggested to members of the City Council of the City of ... that it would be well at this time for the City Council to consider the advisability of securing a more up-to-date and efficient transportation service for the City of Asheville, and lessen congestion on the public streets, ... streets, and provide for a more rapid and satisfactory ... service: and,

WHEREAS, it is found that if such substitution is made, it is necessary for ... to give notice of such proposed change by publication in one of the daily ... at least thirty days in advance thereof.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ASHEVILLE:

That the City Clerk, in the name of the City Council, is hereby directed to ... one of the daily newspapers published in the city of Asheville, as ... practicable after this date, announcing that the City Council, pending the ... of a satisfactory agreement by negotiation with the Carolina Power & Light ..., for the procuring of a motor bus transportation service on conditions ... to the traveling public and the public generally than that now afforded ... street car transportation service, will, thirty days after date of said publication, ... thereafter as practicable, pending the reaching of the aforesaid ..., effect a substitution of motor bus transportation service in the city of ..., in lieu of the operation of street cars.

I move the adoption of the foregoing resolution.

Plott Boyd
COUNCILMAN

SECONDED BY: Ernest H. Miller
COUNCILMAN

... approved, and adopted, this the 4th day of January 1934

Wickes Wamboldt
MAYOR

E. G. Thompson
CITYCLERK

... AS TO FORM:

...

...

Mr. W. B. Plemmons notified the Council that he had been authorized to have the petitions filed by the Central Labor Union requesting the City Council not to grant ... change the street car system of Asheville to busses without first submitting ... to a vote of the people withdrawn.

Councilman Bomberger moved, seconded by Councilman Avery and adopted that the ... Counsel be directed to take such necessary steps toward securing through the ... Utilities Commission a reduction of telephone rates in the city of Asheville.

A communication from Mayor Wamboldt to the members of the Council was read ... making a municipal progress program organizing and consolidating the efforts of the ... relief board municipal development into an eight-point program of objectives.

The Council commended Mayor Wamboldt, and Councilman Avery moved, seconded ... Councilman Miller, that the recommendations be adopted unanimously.

Gentlemen of the Council:

This council has been in charge of the municipal affairs of Asheville for about seven months. Since taking office the administration has been confronted with a vast amount of detail, involving not only the routine conduct of the business of the city, but requiring a considerable amount of reorganization and readjustment.

During recentmonths the administration has experienced a large increase in its responsibilities by having an extensive and comprehensive Civil Works program, inaugurated by the Federal Government, to work out in a very limited period of time; by having the relief organization added to its activities; and also by planning large projects considered as possibilities under the Public Works Administration.

Up to the present it has been impossible for this council to consider adoption of a definite program of proceedure for the remained of its tenure.



... with the Civil Works Administration.

Large ... possible ... Public Works Administration. I recommend ... this council ... the city ... procure special consideration ... basis.

PUBLIC UTILITIES.

The proper functioning ... Public utilities serving the people ... citizen. The right ... gas, telephone, ... of careful study an analysis. ... the Federal Government's new policy ... in the field ... electrical energy ... facilities ... city, including ... important to the present requirements an... I recommend that a committee be appointed ... of public utilities in order that the ... process with a carefully devised plan.

THE PUBLIC DEBT.

Another important subject ... Every effort should be exerted ... standing indebtedness of the municipality ... in the ... My opinion ... be indulged in to effect a permanent ... status of the matter at present ... the future holds. However, this council ... with the subject of debt adjustment. ... compile all available information ... conducted with the city's creditors ... permanent settlement basis.

CITY IMPROVEMENT PROGRAM.

It is considered practicable ... continue ... perhaps extend its Civil Works ... course it is essential that ... developed at once for the city. ... council be appointed to work out ... gressive program of objectives, ... realization of the whole. Consideration ... City Beautiful as well as to the ... the city may come to realize that the ... aid has not been fully exploited ... its natural advantages.

PUBLIC HEALTH

Protection of the public ... of the city government. There are now ... requiring satisfactory ..., sewerage, milk supply, food handling, ... A study should be made of the existing ... and sanitation. I recommend ... of this subject so that a definite plan ... operation.

PARKS AND RECREATION.

A municipality ... the physical necessities ... as an embellishment, is being ... of community life. In Asheville, ... health seekers, the providing of ... It is necessary that this city ... not only to provide the proper environment ... competitive of other resort centers ... committee on parks and recreation ... facilities afforded, to study the future ... this city may progress as far as possible ...

AIRPORT.

It is my opinion ... development of this city. This is emphasized by Asheville's location at the ... portal of the Great Smoky Mountains National Park, ... this mountain area, the splendid facilities of the city as a tourist ... center, and the fact that aviation is ...

...given ... the Federal Government. I ... all in our power toward securing a suitable airport ... the public debt. I recommend that a ... be authorized to carry on this important under-...

...

... be developed relative to the department of ..., a survey of the present police and fire organizations ..., a study of existing ordinances, methods of ... efficiency of the branches of service should be carried ..., and the development of an organized program of proceedure. ... appointment of a committee of the council for this purpose.

...

These recommendations, therefor, comprise an eight-point program of ..., namely:

1. Securing vitally needed concessions from Civil Works Administration.
2. Public Utilities program.
3. Debt adjustment plan.
4. City Improvement program.
5. Public health program.
6. Parks and recreations program.
7. Securing suitable airport.
8. Public safety program.

... may be started upon all of these objectives immediately, I ... appointment of committees composed of councilmen adapted for ... various projects, so that each committee can devote its ... to its particular subject, reporting to and securing ... from the council as it proceeds.

Gentlemen, I ask that you authorize your mayor to appoint these ..., and that each councilman give his best efforts toward a proper ... these objectives.

Wickes Wamboldt
Mayor.

... unanimously, Mayor Wamboldt commented: "In ... just passed, I make the following assignments:

... proposition and concessions for Asheville from the Civil Works ..., Councilman Ernest H. Miller.
... utilities, Councilman Plott Boyd.
... parks and recreations, Councilman John E. Baumberger.
... Public Health, Councilman H. G. Brookshire.
... Airport, Councilman Joseph W. Little.
... Public Safety, Councilman Charles F. Crow.
... City improvement plan, Councilman H. M. Rainey.
... Vice Mayor A. C. Avery.

... fact that the city council is to suffer the loss of the services ..., it will be necessary to reconsider this assignment after his successor is ...

... councilman will be personally and directly responsible for working out the ... to him. He may call for such aid as he needs from within the administra- ... it. He may ask members of the city council, the city manager, the ... and, to advise with him, or he may call on citizens outside the council; ... citizens to cooperate with him. For instance, Captain Rainey, in shaping ... plan, will, of course, work closely with the city planning commissi... ... Baumberger in preparing the policy for parks and recreations, will undoubted... ... city planning commission, and will contact the American Business Men's clu... ... for being ready to cooperate in the developmentof city parks, and ... will enlist the assistance of the Welcome to Asheville group which was organ- ... giving Asheville more recreational advantages.

I am convinced that this program which the council has adopted, will have the ... strengthening and facilitating the work of this administration in dis- ... responsibility as an enterprise for vital service.

A petition from property owners of Alymar Street requesting that the name of thi... ... from Alymar Street to its old name, Swannanoa Avenue was on motion of ..., seconded by Councilman Little unanimously ordered referred to the City Manager and Corporation Counsel for report at the next meeting.

Church
Mr. ..., reporting on the request of the Methodist Protestant/for remittance and cancellation of paving assessments, stated the City Council has power to remit all or any part of paving assessments on churches. No action taken.



Mr. ... letter from the ... requesting that a contact committee be appointed ... advertising committee representing the Chamber ... promotion fund.

Councilman Little moved, ... that a committee consisting of Mayor Wamboldt, C... be appointed as Contact Committee to act in ... Motion carried.

Judge ... spoke in favor of ... the license of taxi drivers who are ... of Councilman Crow, seconded by Councilman ... to establish ... Council.

Mr. W. F. Bridgers on behalf of the taxi ... requiring all taxi ... Public Safety to ... requiring this bond ... a hardship on the taxi drivers ... get at the two-cent fare public.

It was ... by Councilman Rainey, ... ordinance requiring ... bond from taxi ... Council instruct ... to draft an ordinance providing ... unanimously.

The appointment of Mr. A. M. Patton, ... members of the Civil Service Board, was ... Public Safety Committee for investigation ...

The ... of ...

Mayor

The City Council met in ... Councilmen A. C. Avery, John E. ..., Joseph W. Little, E. ... Rainey and Assistant Corporation Counsel ... meeting were read and approved.

A communication from ... terms for payment ... and widening Woodfin ... by Councilman Miller, ...

A communication from Mr. W. L. ... Hemphill Creek for a municipal ... seconded by Councilman Rainey referred ... Committee.

On motion of Councilman Ernest H. Miller, ... a resolution accepting ... unanimously adopted.

...: The Federal Government has summoned our ...orthy and ... Major E. C. Avery, ... Washington, D. C. to assist in ... program of recovery ... reconstruction, and

...: By ... of this call to a field of broader service, ... will ... his seat on the City Council of Asheville, ... by a large vote of an appreciative people, and

...: Major Avery tendered his resignation to the City Council ..., 1934, to become effective on January 15, 1934,

...: That the City Council of Asheville, in regular session ..., by consent, with deep and sincere regret, the resignation of ... Avery, ... effective, as he requests, on January 15, 1934,

...: That we, the undersigned members of the City Council ... very large measure of success in his work at the ... to do eminently public by character, training, ...

... of January, 1934

Moved by: Ernest B. Miller
Seconded by: Chas. F. Crow
Joseph W. Little
H. E. Briney
E. J. Brookshire
John L. Baumberger
Platt Boyd
Wicker Tumbolt.

... Section ... and 1004 of Pomell's Code relative ... of bonds, form of bond, and manner in which bonds ... Councilman Baumberger, seconded by Councilman Little ... first reading. All members of the council voting "Aye".

... City Councilman was declared ... Mr. Jack Westall. Councilman Baumberger ... Mr. ... showed Mr. Jack Westall elected

... received 7 votes
... received 1 vote.

... City ... Councilman with a financial statement of the City ... fiscal ... .

... Jr. filed written notice of claim for the American Savings ... City of Asheville Public Improvement Bonds which became due ... rate of 4½%, which was referred to the Corporation

... CITY COUNCIL OF THE ... NORTH CAROLINA:

... Savings Bank, a banking corporation organized under the laws ... Ohio, with its principal office and place of business in ..., State of Ohio, by and through its Attorneys, Lee & ... Asheville, N. C., ... and make demand for payment upon your Board ... immediate payment of the following bonds ... Asheville:

... Bonds, Coupon Nos 38 to 42 inclusive, issued on the first ... day of April, 1927, known as City of Asheville Public Improvement Bonds, ... being a part of an issue of $000 bonds in the ... of $1,000.00 each, the proceeds of which were used for the ... of ... Street within said City, extension of the water ... the erection of a City Hall. The five bonds being ... aggregate sum of $5,000.00, became due and payable on ... April 1, 1932, ... interest at the rate of 4½% per year, ... bonds being in default since the first day of October, 1931.

... aforesaid, ... principal and interest of the above described bonds are now ... and ... payable, ... the American Savings Bank as theowners thereof, hereby ... Board ... for payment of said bonds and interest.

Respectfully submitted,
AMERICAN SAVINGS BANK,
BY Lee & Lee
Attorneys

... A motion ... by Councilman ... seconded ... be authorized ... unanimously.

, bor Union setting forth the need of
unemployed, and requesting of the County
request to the Federal Government that the CWA
, and said to the Council.

. . . . Young, Attorney for Mrs Lola Sumner Anderson
by Council Hill and read to the
. . . by Councilman Miller unanimously
Corporation Counsel.

, by Councilman Bomberger, An ordinance
, Ch. of Pennell's Code relative to bond required for
, and where in which bonds are to be approved, was
. Voting for the passage of the ordinance on its second
, Coles, Cox, Little, Miller, Marshall and

work of the C.W.A., that pro
Government to have the work continued
the City of the remainder that collection
widening of Hunkin Avenue be considered.

transportation, it is impossible that
for street cars.

projects we
for said Association provides there is

worked out that will be
importance of enforcing the health

government funds.

of the action which has

adjustment that protest has been had
to further consideration in the near future.

meeting appointed a committee from
variety of activities for the year 1938 of the Pub
Board.

by Councilman Miller, that the report be
filed.

a substitute motion which was seconded by Councilman
the Committee for further action. This motion

Plat Maps, presented by Councilman Ernest T. Miller
to execute Quit-Claim deeds to property acquired by
foreclosure suit was unanimously adopted with the following
"property" together with all other taxes subsequent
the proper officers.

AYOR TO EXECUTE QUIT-CLAIM DEED TO
CITY OF ASHEVILLE BY TAX FORECLOSURE SUIT.

City Council of the City of Asheville that on
of land sold by the City of Asheville, said
the City of Asheville by tax foreclosure suits
1933; and,

had appeared once a week for four successive
, after which the sale was conducted publicly
as follows:

| PARTICULAR | NAME OF OWNER | LOT | SHEET | WARD | BID IN BY |
|---|---|---|---|---|---|
| [illegible] | [illegible] | 38 | 10 | 6 | L. T. & J. W. Brooks |

tax collector of the
Block upon payment of the amount
all other taxes, assessments
together with cost of such

tion.

day of January, 1971.

reclosure suits, amended by
QUIT-CLAIM

Block
CHAIRMAN

H. Mills
CHAIRMAN

18th day of January, 1971.

Wambolt
MAYOR

E. G. Thompson
CITY CLERK

D BY THE CITY COUNCIL OF ASHEVILLE:

Asheville, and he is hereby authorized and
the property listed above, all taxes to be
above,
to the Tax Collector of the City of Asheville
amount of taxes and lien on said
by the
ding, which amount is part in the

solution.

Block
CHAIRMAN

H. Mills
CHAIRMAN

18th day of January, 1971.

Wambolt
MAYOR

E. G. Thompson
CITY CLERK

...lin, this the 18th day of

Clyde F. Crow
COUNCILMAN

...ll
...MAN

...rbolt
...R

...

...

...

[illegible] motion of Councilman Ezzell, seconded by Councilman Penland, carried unanimously, that the Public [illegible]; voting "Aye" [illegible] all, not voting [illegible] meeting.

[illegible] not receive a second.

[illegible] City Planning Committee to [illegible] that [illegible] be favored, and [illegible]

[illegible] Councilman [illegible] all, voting "Aye".

[illegible] by Councilman Chas. F. Ogle, [illegible] Company for [illegible] Councilman Briggs voting "Aye", Councilman Beaucham[illegible]

[illegible] ENTERING INTO A CONTRACT WITH THE SOUTHERN RAILWAY [illegible] IN PORTION [illegible] RIGHT-OF-WAY.

[illegible] City of Asheville to enter into the [illegible] Southern Railway Co[illegible] and,

[illegible] Southern Railway Company [illegible] Council, [illegible] unanimously.

[illegible] CITY OF ASHEVILLE:

[illegible] be made in the [illegible] and the [illegible] Company hereby for the consideration [illegible] right-of-way of the Southern Railway Company upon certain contingencies provided for in its standard con[illegible] same may be removed upon demand of the [illegible] as Asheville Project 502-C, [illegible] as "Institution [illegible] Zoning of Gillespie, Beaucham, Fair, Oakland, [illegible] project is shown on [illegible] and to the [illegible] on the map of the City of Asheville [illegible] Book [illegible] Page [illegible].

[illegible] resolution.

[illegible]
COUNCILMAN

Chas. F. Ogle
COUNCILMAN

[illegible] 30th day of June, [illegible]

Wick C. Wamboldt
MAYOR

L. G. Thomason
CITY CLERK



/

[illegible] motion of Councilman Boyd, seconded by Councilman Brookshire, carried unanimously, that the election of [illegible] be [illegible].

[illegible]

Mayor [illegible]

[illegible]

Councilman [illegible], Councilman [illegible], Councilman [illegible],

[illegible]

[illegible]

[illegible]

by Councilman Ernest H. Miller
Competition to con[illegible] an overhead
[illegible]

CORPORATION TO CONSTRUCT
[illegible] JACKSON BUILDING.

[illegible] the Building Inspector of the City
[illegible] building [illegible] alley connecting
[illegible] Jackson Building
[illegible] build said overhead bridge at its
[illegible] public alley
[illegible] roadway.
[illegible] CITY OF ASHEVILLE:
[illegible] Corporation to
[illegible] the South [illegible] of the Jackson
[illegible], subject, however, to the
[illegible].

Jack Westall
COUNCILMAN

[illegible]
COUNCILMAN

[illegible], 1934.

[illegible]
MAYOR

E. G. Thompson
CITY CLERK

[illegible] Councilman Westall for Ordinance
[illegible] to be passed on its
[illegible] of the City of Asheville:
[illegible], Miller, [illegible] Wamboldt.

[illegible] E. G. Thompson,
[illegible] Miller [illegible] Jackson Building
[illegible] Council Chamber.

by Councilman Crow, that the matter be
[illegible] Council for report.

[illegible] Council and [illegible] questions in regard
[illegible] be reduced
[illegible] rates.

[illegible], [illegible], [illegible].

E. G. Thompson
City Clerk.



February 8, 1934

Thursday, February 8, 1934-4:30 P. M.

The City Council met in regular session; Mayor Wamboldt presiding. Present: Councilmen John E. Baumberger, Plott Boyd, H. G. Brookshire, Chas. F. Crow, Joseph W. Little, E. H. Miller, Wickes Wamboldt and Jack Westall, City Manager George L. Hackney and Assistant Corporation Counsel Philip C. Cocke, Jr.

The minutes of the previous meeting were read and approved with the following correction: Voting for the passage of Ordinance #200, entitled An ordinance providing for the operation of schools in the City of Asheville, on its second reading, Councilman Little voted "Present".

Councilman Miller moved, seconded by Councilman Westall, that Ordinance #200, entitled An ordinance providing for the operation of schools in the City of Asheville, be passed on its third and final reading. Voting "aye" Councilmen Baumberger, Boyd, Brookshire, Crow, Miller, Wamboldt and Westall, voting "Present" Councilman Little, the ordinance was adopted and declared to be an ordinance of the City of Asheville, effective the 23rd day of February, 1934.

ORDINANCE #200.

AN ORDINANCE PROVIDING FOR THE OPERATION OF SCHOOLS IN THE CITY OF ASHEVILLE:

THE CITY COUNCIL OF THE CITY OF ASHEVILLE DO ORDAIN:

That no person, firm or corporation, or association, shall erect any school building or enter any building for the purpose of conducting a school, or operate, maintain, establish, or otherwise conduct a public or private school, within the city of Asheville, without having first obtained a permit from the governing body of the City of Asheville as to the location and nature of construction of such school building; provided, further, that this ordinance shall not be construed to apply to schools now in operation until after ten (10) years from the date of passage of this ordinance, but after which time this ordinance shall apply to each and every school operated, maintained, or otherwise conducted within the city of Asheville.

I move the adoption of the foregoing ordinance, this the 25 day of January, 1934.

John E. Baumberger
COUNCILMAN

SECONDED BY: H. W. Rainey
COUNCILMAN

Adopted and declared to be an ordinance of the City of Asheville, effective the 23rd day of February, 1934.

Read, approved, and adopted, this the 8th day of February, 1934.

Wickes Wamboldt
MAYOR

E. G. Thompson
CITY CLERK

APPROVED AS TO FORM:
C. E. Blackstock
CORPORATION COUNSEL.

Councilman Boyd reported he had continued his negotiations with the Carolina Power and Light Company looking to a change in the system of transportation in the city, and presented a letter from C. S. Walters, Vice-Presidnet of the Carolina Power and Light Co., stating if the city desires motor bus service, the company is willing to work toward this end and to endeavor to substitute motor bus transportation in placeof the present street car transportation, but in making such substitution they cannot agree to further increase the obligations under which they are now operating.

Councilman Westall made a motion, which was seconded by Councilman Miller that the Carolina Power and Light Company be requested to move their car tracks on Merrimon Avenue, Broadway and Biltmore Avenue to the center of the streets an make the tracks conform to the new grades that may be established.

A substitute motion offered by Councilman Baumberger, and seconded by Councilman little that the matter be deferred until the next meeting to give the Power Company an opportunity to meet with the Council did not pass.

The original motion on being put to a vote, carried.

Mr. [illegible] presented a request from Mr. D. C. Lentz, attorney for Mr. Geo. P. [illegible] for a refund of $105.28, $154.90 for taxes and $22.50 costs and interest, on lot 106, sheet 1, ward 3, certificate 377, which was double listed in the name of L. & H. Enterprises, together with a letter from the Corporation Counsel recommending the payment of $154.90 principal to Mr. Street.

Councilman Miller moved, seconded by Councilman Westall, and adopted, that the Corporation Counsel be instructed to prepare a proper resolution for the refund of $154.90.

Mr. William T. Morris on behalf of the Kiffin Rockwell Post of American Legion, appeared before the Council and stated the Government would donate $9,000 to the local legion for a Legion home provided the Legion would raise $1,000.00, and he requested that the City lease a vacant lot for 50 years at a nominal sum on which to erect the building.

A motion of Councilman Miller, seconded by Councilman Little, that a committee be appointed to investigate the matter and see what can be done about [illegible] lot and that the Corporation Counsel give a written opinion, carried unanimously. Mayor Wamboldt appointed Councilmen Miller, Westall and Baumberger [illegible] committee.

The City Manager recommended that the City connect the 8 inch main that [illegible] the County to supply approximately forty houses in Grovemont.

A motion by Councilman Miller, seconded by Councilman Crow that the recommendations of the City Manager be adopted, prevailed. Voting "aye" Councilmen Miller, Crow, Little and Westall, voting "no" Councilmen Baumberger, [illegible] Brookshire. Mayor Wamboldt did not vote.

There being no further business, the meeting, on motion, adjourned.

[illegible]
Mayor

E. L. Thompson
City Clerk

Monday, February 12, 1934- 4:30 P. M.

A special meeting of the City Council called by the Mayor, notice of which was published in the Asheville Citizen Times of February 11, 1934, ~~called~~ for the purpose of considering the matter of providing a lot for headquarters for the American Legion was called to order by Mayor Wamboldt. Present Councilmen John E. Baumberger, H. G. Brookshire, Chas. F. Crow, Joseph W. Little, E. H. Miller, [illegible] Westall, City Manager Geo. L. Hackney and Corporation Counsel, [illegible].

The legal opinion of the Corporation Counsel was read as follows:

February 12, 1934.

In re: Request of Kiffin Rockwell Poast, American Legion, for a Lot upon which to construct a building with C. W. A. Funds.-----

To the Honorable Mayor and City Council,
Asheville, North Carolina.

Gentlemen:

Having been requested to give an opinion upon the above matter, three questions arise:

(1) Can the City of Asheville donate a lot to a person, firm, association or corporation;
(2) Can the City of Asheville lease a lot to a person, firm, association or corporation; and,
(3) Can the City of Asheville sell a lot to a person, firm, association or corporation.

Under our present charter, Section 1, Chapter 121 of the Private Laws of 1931, it provides that the City "may sue and be sued, may contract and be contracted with, may acquire, hold, manage, control, lease, and dispose of property, real and personal". This provision of the charter is further restricted by the general laws of the state, as well as by the constitution itself. In fact, Section 3 of the aforesaid act provides:



"The City of Asheville shall have and [illegible] all of the powers conferred by this act, as well as all of the powers given to municipal corporations by general law of this state, and all such [illegible] may be useful and/or necessary to carry on the government of the City, [illegible] may be exercised in the manner set out in said act."

The general law of the state governing [illegible] is definitely set forth in the case of Asbury vs. [illegible] Town of Albemarle, in the volume of the North Carolina Supreme Court [illegible], page [illegible]:

"Municipal corporations possess [illegible] public, that is, in a sense, proprietary or private..... In their governmental or public character, the corporation is made by the [illegible] agency or local depository of certain limited and [illegible] for the public good on behalf of the state [illegible] itself..., but in their proprietary or private character the theory is that [illegible] conferred, primarily or chiefly, from considerations connected with the government of the state at large, but for the private advantage of the [illegible] incorporated and distinct legal personality [illegible]."

It is my opinion that the City of Asheville [illegible] of its property [illegible] is in governmental use, [illegible] needs for governmental purposes. Therefore, [illegible] only such city property, or portion thereof, [illegible] may appear and to be likely to be necessary for [illegible].

In the light of the foregoing paragraph, [illegible] of the City of Asheville does not have power to [illegible] association or corporation, as such, for [illegible] "compact community". For instance, the City Council [illegible] charitable, religious [illegible] patriotic organization, to [illegible] without providing for its use by every other organization in the "compact community".

However, the City Council, in my opinion, [illegible] for the general public good, even beyond the scope [illegible] is particularly set out in Section 2, Volume 19, [illegible]:

"Municipal corporations are not limited [illegible] of their citizens. Under legislative authority, [illegible] health, pleasure and education. They are not limited [illegible] streets, to provide it with light, water, [illegible] and towns to maintain institutions which [illegible] their inhabitants--such as libraries and botanical [illegible]. So, also, the public funds may be expended in providing [illegible]. The reasonable use of public money for memorial halls, [illegible] ways, celebrations, the publication of town histories, [illegible] fine natural scenery, decorations upon public buildings, [illegible] embellishments designed merely to promote the [illegible] fresh air or recreation, or by educating the public taste, [illegible] patriotism, or of respect for the memory of [illegible] sanction that there can be no doubt that municipal [illegible] authorized to expend money, raised by taxation, for [illegible] priation of money for public concerts has been held proper. So, too, the erection of an auditorium has been regarded as properly falling within the [illegible] municipal corporation may provide. Generally speaking, [illegible] the education, the recreation, or the pleasure of the people, [illegible] legitimate domain of public purposes, and on this ground it is [illegible] ity to erect and conduct an opera house may be sustained [illegible] municipal corporation.

The Legislature of North Carolina has not only [illegible] this state the power to do all of the acts mentioned in the foregoing quotation, but the General Assembly has provided--and such provision [illegible] charter--as follows, in Section 2776-B, of the Consolidated Statutes:

"The City Charter or governing body of any city or town,.... may [illegible] apart for use as playgrounds, recreation centers, and other [illegible] lands or buildings, or both, owned or leased by such municipality [illegible] devoted to another and inconsistent public use."

It is my opinion that under this authorization [illegible], in the light of the general law, the City Council of Asheville [illegible] property, not in public use and not necessary for public use, upon which community [illegible] may be constructed, provided such community house or recreational center shall not be used exclusively by any one person, firm, association or corporation, but, on the contrary, shall be thrown open for use by any such persons, firms, associations or corporations of the entire community, with authority to all of the inhabitants or members of the community to use such place for meeting or recreational purposes. Of course, [illegible] it can certainly enter into a lease.

As to the second question--the question of [illegible]--it is my opinion that the City Council of the City of Asheville has the power to lease [illegible] associations or corporations--any property not in use for public purposes, provided such lease is temporary in its nature. Such lease, and such use of property, must be temporary, casual, and incidental. Section 77, volume 19, Rulings Case Law on Municipal Corporations, provided:

February [illegible], 1938

"It is, however, to be generally conceded that a municipality having erected a building in good faith, for municipal or public purposes, has the right, when such building is not long-time used by the municipality, or when parts of it are not needed for such purposes, or from time to time it reveals the whole building is not so used, and when it does not injure the public service, to permit it to be used either gratuitously or for compensation for a temporary purpose."

Of course, considering the law just quoted, the question at once arises as to what constitutes a temporary use or lease. This cannot be answered definitely, but depends upon the nature of the property, the prospects for governmental use, or [illegible] only upon emergencies.

[illegible] question--the right of the City Council to sell property-- it is answered, except as slightly modified by our present [illegible] of the Consolidated Statutes, which provided:

"The Mayor and Commissioners of any town shall have power at all times to sell at public outcry, after thirty days notice, to the highest bidder, any property, real or personal, belonging to such town, and apply the proceeds as they may think best."

Respectfully submitted,
C. E. Blackstock
Corporation Counsel.

C.E.B:c

Councilman Miller who has been appointed chairman of the committee to investigate available property reported that the property available were one corner ofChurch Street and Aston Street, one corner of Church Street and Revenscroft Drive and two lots on Vance Street which are owned by Mr. Curtis Bynum who will donate one lot to the American Legion provided the City will donate the other lot.

After considerable discussion in which it was decided that the lot corner of Church Street and Revenscroft Drive was the most suitable, and Mr. Grady Hagan, Chairman of the County Board of Commissioners, who was present had given assurance that in his opinion the property could be released by the Board of Financial Control, it was moved by Councilman Little, seconded by Councilman Westall, that the City Attorney be instructed to draft a resolution to the effect that theCity of Asheville confer with the County to provide the lot at the corner of Revenscroft Drive and Church Street for a community House for the American Legion. This motion prevailed.

At the request of Councilman Miller, seconded by Councilman Little, that in case the lot on Church Street and Revenscroft Drive is not available the Council cooperate with the American Legion in securing another lot, carried unanimously.

Resolution requesting the Board of Financial Control of Buncombe County to release any interest that the City of Asheville may have in a certain lot at the corner of Revenscroft Drive and Church Street, for the purposeof permitting a community house to be constructed thereon under the auspices of the Kiffin Rockwell Post of the American Legion, within which community house meetings of public organizations may be held, was on motion of Councilman Joseph W. Little, seconded by Councilman Chas. F. Coxe, unanimously adopted.

RESOLUTION REQUESTING THE BOARD OF FINANCIAL CONTROL OF BUNCOMBE COUNTY TO RELEASE ANY INTEREST THAT THE CITY OF ASHEVILLE MAY HAVE IN A CERTAIN LOT AT THE CORNER OF REVENSCROFT DRIVE AND CHURCH STREET, FOR THE PURPOSE OF PERMITTING A COMMUNITY HOUSE TO BE CONSTRUCTED THEREON UNDER THE AUSPICES OF THE KIFFIN ROCKWELL POST OF THE AMERICAN LEGION, WITHIN WHICH COMMUNITY HOUSE MEETINGS OF PUBLIC ORGANIZATIONS MAY BE HELD.

WHEREAS, the Kiffin Rockwell Post of the American Legion has requested the Mayor and City Council of the City of Asheville to permit the said Legion Post to construct upon a lot owned by the City a community club house to be used by public organizations within the City as a meeting and recreational center; and,

WHEREAS, it is desired by said Legion Post that permission begiven to use the lot at the corner of Revenscroft Drive and Church Street, city of Asheville, which lot is now in the Board of Financial Control of Buncombe County; and,

WHEREAS, the request of the said American Legion Post embodies the proposition that there be in any such building which may be constructed on such lot to the entire public [illegible] different organizations of the City to hold meetings in the building to be constructed on such lot, and making a community center of such building and,

WHEREAS, the American Legion proposed to donate one thousand ($1,000) dollars towards this purpose, and to procure from the Civil Works Administration a donation of nine thousand ($9,000) dollars towards the construction of a building thereon; and,

WHEREAS, the City Council of the City of Asheville deems that the construction of a community club house, such as thatproposed, would be for the best interests of the entire people of the City of Asheville, affording a recreational and community center and small auditorium.



February [illegible], 1938

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ASHEVILLE:

(1) That the Board of Financial Control of Buncombe County be and it is hereby requested to relinquish and release unto the City of Asheville any right, title, interest, if any, that the City of Asheville may or [illegible] in that certain lot situate at the corner of Revenscroft Drive and Church Street, in the City of Asheville.

(2) That, in case the Board of Financial Control of Buncombe County shall not release unto the City of Asheville any right, title, or interest, if any, that the City of Asheville may or [illegible] in the corner of Revenscroft Drive and Church Street, the City of Asheville hereby, by these presents, agrees to permit the Kiffin Rockwell Post of the American Legion, a community club [illegible] off ring meeting places for [illegible] public assemblies and [illegible] recreational purposes, all under the auspices of the Kiffin Rockwell Post of the American Legion, City of Asheville; provided, however, that said Legion Post shall [illegible] the City of Asheville first obtaining title to said property, or obtaining [illegible] from the City properties which may own an interest in said property, [illegible] described is not available, that Council co-operate [illegible] another lot.

I move the adoption of the foregoing resolution.

Joseph W. Little
Councilman

SECONDED BY: Chas. F. Coxe
Councilman

Read, approved, and adopted, this [illegible] day of February, 1938.

Signed: [illegible]
Mayor

E. E. Thompson
City Clerk

APPROVED AS TO FORM:
C. E. Blackstock
CORPORATION COUNSEL.

The meeting adjourned.

Mayor

E. E. Thompson
City Clerk.

Monday, February [illegible], 1938, P. M.

Immediately upon adjournment of the Special Meeting of the Council considering the matter of providing a lot for the American Legion, Council met in order the Special meeting to consider the matter of providing a lot for the Legion in Asheville, whereupon the Clerk read the following letter:

February 10th, 1938.

Mrs. E. E. Thompson, City Clerk
Asheville, N. C.

Dear Mrs. Thompson:

We the undersigned Councilmen hereby request that a meeting of the City Council be called for 3 o'clock P. M., Monday, February [illegible], 1938, in the Council Chamber.

The object of the meeting is to consider the matter of providing a lot for the American Legion in Asheville, and particularly all negotiations with the Board of Financial Control, Officials of the Carolina Power and Light Company, and all other persons who may be interested in said matter, to be present at said meeting and all other persons who may be interested in the matter of transportation or bus transportation for the City of Asheville, to be present. All other questions relating to Asheville's interest in the matter to be considered at said meeting.

This February 10th, 1938.

Joseph W. Little
E. L. Westall
Joseph M. Shuford

Members Asheville City Council.

NOTICE

Pursuant to written notice duly given by three members of the City Council, to-wit: Councilmen [illegible], Will [illegible] and Little, notice is hereby given of a special meeting of the City Council to be held in the Council Chamber, Monday, February 12, 1934 at [illegible] o'clock, P. M.

The object of the meeting is to consider the general transportation situation in Asheville, and particularly all negotiations with the Carolina Power & Light Company. Officials of the Carolina Power & Light Company are invited to be present at said meeting [illegible] may be interested in either street car transportation or bus transportation in the City of Asheville are invited to be present. All other questions relative to Asheville's transportation system will be considered at saidmeeting.

This February 10th, 1934

E. G. Thompson
City Clerk.

Councilman Baumberger stated that the call had been made for the special meeting for the great need of consideration of the transportation situation in Asheville and further stated that he would like to hear from Mr. Chas. S. Walters, Vice-President of the Carolina Power & Light Company. Whereupon the Mayor asked if Mr. [illegible] present and it was ascertained that he was not. The Mayor stated there was [illegible] done on that in the opinion there was no use to try to proceed. Councilman Little stated that while Mr. Walters had been invited to bepresent, the Councilmen responsible for the special meeting did not claim that his attendance could be compelled. Mr. Little again read the call for, and notice of the meeting as published contended, the fact that there were other matter contained in the call in addition to the invitation to Mr. Walters to be present.

At this point the Mayor yielded the gavel to Vice-Mayor Miller and asked to be excused. Same was recognized. Mayor Wamboldt made the following motion: That the Council go on record as referring all matters of the bus question back to the Committee. Mr. Boyd seconded that the meeting adjourn. This motion was seconded by Councilman Westall.

A point of order was made that the motion was a double motion and should be separated. Vice-Mayor Councilman Miller ruled that the motion should be separated and that the motion to adjourn should first and dealing with the bus question be considered first.

Councilman Little obtained the floor and stated that he wished to speak to the motion and in opposition to the same. and yielded the floor from time to time for questions from members of the Council and persons in the audience. He was interrupted on points of order, among other points of order was one that Councilman Little was yielding the floor because he yielded for questions, but Chairman Miller ruled, which ruling was sustained by the Corporation Counsel, that he had not lost the floor as he was allowed to continue. Councilman Little discontinued his argument on the motion then pending, and made a motion to adjourn. This motion was seconded by Councilman Crow and immediately adopted and the meeting declared adjourned.

E G Thompson
City Clerk



Tuesday, February 13, 1934, 4:00 P. M.

The City Council met in regular session; Mayor Wamboldt presiding. Present: Councilmen John F. Baumberger, Platt Boyd, [illegible], Charles F. Crow, J. Fred Miller, E. L. Miller, Wickes Wamboldt and Jesse Westall, City Manager, A. Pierce [illegible], and Corporation Counsel, C. B. Blackstock.

The minutes of the regular meeting of February 6th were approved. Mayor Wamboldt submitted an opinion of the Corporation Counsel in re: Number of votes of Council necessary to adopt ordinance or resolution.

February 13, 1934.

In re: Number of Votes of Council Necessary to Adopt Ordinance or Resolution in the Present Course of Meeting.

Honorable Wickes Wamboldt,
Mayor,
City of Asheville, N. C.

Dear Sir:

In response to your question concerning the above, requesting for a written opinion thereon, I will state that, since the passage of Section 11 of our present charter, I have uniformly since I became Corporate Counsel told the different members of the Council that I thought it was necessary to have a vote of at least five members of the Council in order to carry any motion. A few days ago, while examining some of the North Carolina Supreme Court decisions relative to another matter, I came upon a North Carolina decision which tends to upset my previous conception of construction of the particular section. That decision, or the pertinent part thereof, is annexed hereto.

However, that particular decision must be construed with Section 11 of our charter, which, in my opinion, results in the following conclusions:

(1) That the first sentence of Section 11 clearly indicates that, since nine councilmen are elected at the last municipal election, it is necessary to have five members present in order to have a quorum, and a majority to do business.

(2) In the second sentence of Section 11, it is required that an affirmative vote of a certain number or portion of the Council is necessary to adopt ordinances and resolutions, which means, in my opinion,--contrary to the ruling of Chairman Miller--that in counting the votes, silence cannot be taken for assent, for the word "affirmative" preceding the word "vote" is defined in Webster's International Dictionary as meaning: "Asserting that the fact is so, declaratory that it exists, answering yes to a question."

(3) Also in the second sentence of Section 11 it is stated: "The affirmative vote of a majority of the members shall be necessary to adopt an ordinance", etc., which I construe to mean, in the light of the Supreme Court decision attached hereto, a majority of the members in existence. For instance, it is necessary at all times to have five members in order to have a quorum, but if two members were dead, leaving two vacancies, four members could adopt a resolution or ordinance, being a majority of seven, the full number in existence. This decision is arrived at partly by the qualifying words following the statement just quoted, namely, "The affirmative vote of the majority of the members shall be necessary", etc., which qualifying statement is as follows: "Except that a vote to adjourn or regarding the attendance of absent members may be ordered by a majority of the members present".

Respectfully submitted,
C. B. Blackstock
Corporation Counsel

C B:sb
enclosure.

Attention was called to the fact that the motion on the request that the City connect with the county main to supply water to houses in Grovemont received but four affirmative votes, and the ruling of the Corporation Counsel that an affirmative vote of five members shall be necessary to adopt any ordinance, resolution or vote.

A motion of Councilman Little, seconded by Councilman Crow, that the minutes as read be approved, did not carry.

Councilman Baumberger moved, seconded by Councilman Westall, that the minutes be corrected by changing the particular paragraph to show that the motion was not adopted. This motion carried by a vote of five ayes and three noes.

The minutes of the two special meetings held on February 12th were read and approved.

[illegible], 1934

[illegible] from Mr. E. L. Miles, president of the Citizens Hotel Corp. [illegible] be removed, was read and ordered referred to Mr. R. L. [illegible].

[illegible] by Mrs. [illegible], for Lillie O. Brown, Sarah Rea, Jennie G. [illegible] Vice Director, for transfer of credits on paving assessment [illegible] on motion of Councilman Baumberger, seconded [illegible] ordered referred to the City Manager and the Corporation [illegible].

A [illegible] from Messrs. S. L. Moore and Frank Silverman, asking [illegible] to operate busses over the streets of Asheville.

[illegible], seconded by Councilman Westall, and adopted that the [illegible] be heard at a future meeting.

[illegible] that the Clerk read section 205 of Cushing's Manual of Parliamentary Practice relating to Floor cannot be given up at all without losing it, [illegible]. Councilman Hodgkin moved, seconded by Councilman Westall [illegible] communication. This motion carried and the section was [illegible].

Councilman Boyd reported that he and the Corporation Counsel had conferred with officials of the Carolina Power & Light Company and that a communication has been [illegible] from Mr. C. F. Walters, Vice President of the Carolina Power & Light Company, [illegible] to be considered as his report.

February 15, 1934.

Hon. Plott Boyd, Chairman,
Bus Committee of City Council,
Asheville, North Carolina.

Dear Sir:

In reply to your request, the rates we propose to charge for motor bus service will be the same as we are now charging for street railway service, namely, 8 cents fare; six (6) tickets for 35 cents; school children 5 cents, under the same terms and conditions as now existing, and with the same arrangement for free transfers.

With respect to the franchise tax that we are now paying the city, we feel that it will be increased in amount even though the rate is the same, on account of the fact that we anticipate riding would be materially increased with bus service. Our electric and railway assessment is combined so I cannot tell what there would be an appreciable decrease in this total assessment on account of the new buses and other facilities that would have to be rendered. I feel, therefore, that when both our total ad valorem [illegible] franchise taxes are considered there would be little, if any, change [illegible] total amount of such taxes paid to the city by the company. I feel [illegible] of this, that I am willing to agree that should the total taxes [illegible] to the city from both our electric and transportation properties and [illegible] less than it was for last year, to pay to the city as a franchise [illegible] for the motor bus operations, any such difference each year for a period of five (5) years, but with the understanding that should there be a general [illegible] reduction of assessed values or reduction in the tax rate, [illegible] would receive full consideration on this account, and my agreement [illegible] would be reduced accordingly. I feel sure that after this time [illegible] the nature of the business would take care of the situation itself.

We would agree to cover the rails with asphaltum or such similar [illegible] the city is now using, and turn the same over to the city, on all streets except those that are to be paved by highway department or the federal government.

We would agree to operate motor buses on all those streets on which we are now operating street cars. We would further like to obtain permit from the city to extend bus operation on certain other streets where we think the business would warrant such service, such, for example, as out West Asheville to the Malvern Hills district.

We feel these are the main items which would of course have to be agreed upon in suitable resolution or ordinance authorizing replacement of present street railway operation and obligations with such motor bus service and obligations as stated above.



We wish again to repeat that our company [illegible] and willing to cooperate with the city of Asheville and to endeavor to provide the citizens of Asheville with motor bus service. Judging by the favorable reception with which the change to bus transportation has been [illegible] in other cities, we believe the people of Asheville would be greatly pleased with motor bus service and will patronize such service to a much greater extent than they are now using the street cars.

Yours very truly
C. S. Walters
Vice-President.

CSW-M

A motion of Councilman Miller, seconded by Councilman Westall that when the business of this meeting is finished, that the meeting recess to 7:30 P. M. tomorrow, February 16th to consider the Carolina Power & Light Company's proposition or any other similar propositions on the transportation situation. This motion carried.

Councilman Little, Chairman of the Airport Committee, read a report of the activities of the Airport committee to date.

REPORT OF AIRPORT COMMITTEE

I wish to give to the Council a brief summary of my activities in behalf of Asheville's Airport Project to date. In order to give a clear picture of the question it will be necessary for me to review some things that have been said in previous reports.

My files disclose that this subject was first brought to my attention on Aug. 23, 1933 when a telegram was sent to Senator Robert R. Reynolds at Washington inquiring if Federal Funds were available for the purchase and improvement of a Municipal Airport.

Very little was done until the latter part of October when a Committee consisting of Councilman Miller, Mr. J. E. Owen and myself attended the meeting held at Myrtle Beach, S. C. Oct 27th and 28th, 1933, as directed by the Council. Due report was made of this meeting to the Council.

About the same time there was formed in the City of Asheville the Asheville Aviation Association and I have been advised that pledges of membership were signed to the number of 1,500 or 2,000.

There was also a meeting held in Winston-Salem, N. C. I think in October, 1933, and this meeting was attended by the Mayor, Councilman Miller, City Manager Hackney and myself.

Sometime thereafter the Council authorized the filing of a PWA application with the North Carolina Board. The information at hand when this application was filed the latter part of October, 1933, was so meagre that its consideration was withheld by the North Carolina Board pending the receipt of addition information. In order to supply this information an appeal was made to the Director of Aeronautics in the Department of Commerce at Washington. At our request the Department sent to Asheville one of their engineers in the person of Mr. A. Pendleton Taliaferro Jr. Mr. Taliaferro spent two days here inspecting sites. All told he inspected ten sites and a report of this was made to the Department of Commerce on Nov. 27, 1933.

In addition to the ten sites visited and inspected by Mr. Taliaferro at least ten other sites have been visited and inspected by one or more persons in order to be sure that no possible site was being overlooked. After considering all of the sites suggested Mr. Taliaferro recommended that known as the Emma site and upon his recommendation our Engineering Department [illegible] complete surveys and maps of the same.

Based upon the approval of the Emma site an application for PWA funds was filed with the North Carolina Board at Chapel Hill, N. C. about Dec. 19, 1933 and a loan of $706,491.75 was asked for. With this application a map of the Emma site including 244 acres of land was filed.

The application was presented in person by Mr. Harry Allison and myself before the Board at Chapel Hill. After one-half day's conference with the Board we were advised that the size of the loan was so great that it would be highly desirable for us to undertake to secure CWA funds for a larger portion of the work and to come back to PWA later for a portion of the necessary amount. Our application was left pending with the PWA in Chapel Hill subject to being revised or supplemented later.

Prior to this I had made a visit to Washington in the interests of the project and spent about a week interviewing the War Department, Department of National Parks, Department of National Forests and other Public Departments. As a result from my contact with the War Department an engineer from that Department was sent to Asheville to make an investigation and inspection of sites. Due to some delay I did not receive a report from the War Department until today. Through Senator Reynolds I am now in receipt of a letter from Hon. Geo. H. Dern, Sect. of War, which I shall read at the conclusion of this report.

At the suggestion of Hon. Frank Page, Chairman of North Carolina PWA, I contacted Hon. R. B. Page, State Advisor of Aeronautics of North Carolina under the CWA. As a result of this and after much helpful cooperation a CWA application was filed about Jan. 2, 1934 calling for a total of $502,595.47. The CWA application passed before

...gineer, Mr. Thomas O'Berry, State CWA Administrator and ... Mr. P... advised me of two or three visits to Washington ... Mr. P... and through his influence an engineer was sent here ... behalf of our application and through his influence an engineer was sent here ... Mr. Benjamin King. Mr. Kind spent most of his ... time while here in making a close inspection of the Emme site, ... and in giving instructions for certain deatils to be obtained by the engineers ... Mr. King returned to Asheville and spent two addi... ... of the project. He then returned to Washington ... report and recommendation. Before Mr. King came to ... Mr. King for some time and spent several days with the ... Mr. Preston H. Miller in behalf of same.

In addition to the activities set forth above I have conducted an immense ... correspondence relative to the general subject and have in my possession ... covering the activities referred to.

... information and data procured from various groups in our own ... Board of Commissioners of Towns and Cities located through... North Carolina.

... necessary for me to spend practically a month's time away from ... Asheville on this project besides the enormous amount of time and energy I have given ... while here.

A few days ago I received a communication from Mr. Benjamin King at Washington ... Mr. King pointed out that after careful study of the problem in Asheville he had ... possible estimates for the development of the Emme Airport site. The ... of all hand labor and amounted to $2,089,964.10. A second ... "light machinery" and this estimate amount to $810,497.90. The third ... "heavy machinery" and amounted to $557,642.30.

... report Mr. King advised the "light machinery" set-up, "to be ... all concerned." And in that connection he pointed out that theCity ... to furnish $94,627.90 to be procured from PWA fo which 30% ... on our first grant, the 70% amounting $28,388.37, leaving $66,239.53 to be ... Mr. King further recommended to me that the next step on our part would ... be to have engineers for the PWA to come on and submit a proposal based thereon. In that ... connection I received a letter from Mr. King from the PWA Board at Chapel Hill a letter on the ... subject of which letter I shall speak at the conclusion of this report.

In closing this report and bringing it up to date I desire to say that the City ... to considerable expense in carrying on the necessary activity con... with this project to say nothing of the enormous expense and loss of time I ... personally. I cannot go further without specific and direct ... advice of the Council and I have submitted this report in some detail in order to ... as possible. I further take occasio... ... of the entire matter ... Council and especially to Councilman Miller, City ... Manager, L. L. Weyland and Harry Allison, to Henry Westall, Mr. J. F. Owens and many ... for their constant and sympathetic support.

... Congressman Robert R. Reynolds gave the project his wholehearted ... of inestimable value and service to me. Likewise Congressman ... by our Congressman in North Carolina and Senator Bailey have ... support.

... February, 1938.

Respectfully submitted,
Joseph W. Little
Chairman Airport Committee.

... Councilman Miller, 12 options were ... 14 pieces of land from the ... to be exercised within 90 days.

... Councilman Miller, seconded by Councilman Westall that ... the pending PWA application and ask for only ... mentioned in the original application carried unanimou...

... had investigated the possibility of a radio for the ... conferred with the County Commissioners and was of the opinion ... He stated Mr. ... could be done in conjunction with the Couty. ... transmitter and he will make a test, if the City and County is ... to the county and city provided he is employed to ... supplying necessary repair parts and the installation of the ... receiver will likely be $150.00 ... about $1,500 a year for operation for the city's part.

City ... stated the cost of installation $1,000 could be charged ... recommended that the City adopt a police radio system.

It was moved by Councilman Miller, seconded by Councilman Crow that the City ... report for ... City Manager, but a substitution motion made by ... Councilman ..., and by Councilman Brookshire that the question be deferred ...

A resolution ... authorizing the Mayor of the City of Asheville to execute duplic...



...quit claim ... Delia T. Mitchell Brown ... Councilman John ... Baumberger, unanimously ...

RESOLUTION AUTHORIZING THE MAYOR ... DUPLICATE QUIT CLAIM DEED TO DELIA T. MITCHELL BROWN.

WHEREAS, on July 21, 1937, on application of Delia Mitchell Brown, ... after ... went ... tax ... ments, Lot 1, Sheet 5, Ward 2, ... public sale; and,

WHEREAS, the said Delia Mitchell Brown ... affidavit ... purchased the above property at said ... for ... she received ... quit-claim deed from the City ... to her; and,

WHEREAS, the said Delia Mitchell Brown states also in ... affidavit that after the receipt ... said deed was lost and, after diligent search, cannot be found, and that the said deed was lost without ever having been recorded in the office of the Register of Deeds for Buncombe County; and,

WHEREAS, Delia Mitchell Brown requests duplicate quit-claim deed from the City of Asheville, conveying the same property.

NOW, THEREFORE, BE IT RESOLVED BY THE ... OF THE CITY OF ASHEVILLE:

That the Mayor of the City of Asheville be ... authorized and empowered to execute duplicate quit-claim ... to Delia Mitchell Brown, conveying Lot 169, Sheet 5, Ward 2.

I move the adoption of the foregoing resolution.

Plac... Boyd
COUNCILMAN

SECONDED BY: John ... Baumberger
COUNCILMAN

... approved, and adopted, ... February, 1938.

Wicker McGuire
MAYOR

... C. Thomas
CITY CLERK

APPROVED AS TO FORM:
C. B. Blackstock
CORPORATION COUNSEL.

Councilman H. G. Brookshire ... Councilman John ... Baumberger, that resolution providing for the refund of money ... for tax ... certificate through error be adopted. This motion carried unanimously.

RESOLUTION PROVIDING FOR THE REFUND OF MONEY ... FOR TAX FORECLOSURE CERTIFICATE THROUGH ERROR.

WHEREAS, it appears by certificate of ... Supervisor of ... County, as verified by a statement of F. J. ..., City Tax Collector, that lot 106½, sheet 2, ward 2, was listed for taxation for the year 1938 in the name of E. & H. Enterprises and also in the name of Clinton K. Hughes, and taxes were paid by Clinton K. Hughes; and,

WHEREAS, it further appears by said ... the tax certificate of said lot for the taxes for said year was issued to George P. Street for $154.90; and,

WHEREAS, it is provided by statute of the State of North Carolina that governing bodies shall refund any amount of money wrongfully paid for taxes and/or tax sale certificates; and,

WHEREAS, it appears by certificate of ..., City Accountant, that said amount has not been refunded.

NOW, THEREFORE, BE IT RESOLVED BY THE ... OF THE CITY OF ASHEVILLE:

That the City Manager and City Accountant are hereby authorized and empowered to refund to the said George P. Street the amount of $154.90, being the amount paid by him for certificate 377 covering 1938 taxes on lot 106½, sheet 2, ward 2, which lot was also listed for the same year in the name of Clinton K. Hughes and taxes paid in that name by the said Clinton K. Hughes.

I move the adoption of the foregoing resolution.

H. G. Brookshire
COUNCILMAN

SECONDED BY: John E. Baumberger
COUNCILMAN

..., ..., ..., this the 15th day of February, 1974.

Wickes Wamboldt
MAYOR

E. G. Thompson
CITY CLERK

AN ORDINANCE:

...

An ordinance providing for furnishing water to residents of Grovemont Section ... Councilman Chas. F. Crow, seconded by Councilman John E. Baumberger, ... Voting "Aye" Councilmen Crow, Baumberger, Little, Westall and Miller, Voting "no" Councilman ..., Mayor Wamboldt.

ORDINANCE NO. ... FURNISHING WATER TO RESIDENTS OF GROVEMONT SECTION.

Be it resolved by the City Council of the City of Asheville:

That the City Manager is hereby authorized and empowered to furnish city water to the residents of the Grovemont Section, or Swannanoa Water District, on the signing of individual contracts by the residents with the City of Asheville, in accordance with the usual practice, and in accordance with the terms contained in the Public-Local Laws of 1933 governing the furnishing of water outside the City limits; Provided that the Grovemont, or ... water supply must first be disconnected, so that only water from Asheville's water mains shall enter the mains of the Swannanoa Water District; and, provided, further, that the expense of all water connections shall be borne by the Grovemont District of Buncombe County and/or the Trustees of the Swannanoa Water District.

I move the adoption of the foregoing resolution, this the 15th day of February, 1974.

Chas. F. Crow
COUNCILMAN

Seconded by: John E. Baumberger
COUNCILMAN

Approved as to form:
C. A. Blackstock
Corporation Counsel.

Read, approved, and adopted, this the 15th day of February, 1974.

Wickes Wamboldt
MAYOR

E. G. Thompson
CITY CLERK

An ordinance providing for application for water connections, and written ... providing for collection of delinquent water rentals and ... water for each building, and minimum charge therefor, ... motion of Councilman Little, seconded Councilman Miller ordered ... roll.

The request of Mr. J. A. Wilson, representing his client Charles R. Hudgins, ... property acquired by tax foreclosure suit and the application for ... collected by the City on taxes was on motion of Councilman Boyd, seconded by Councilman ... referred to the Corporation Counsel.

✓

Councilman Little made a motion, which was seconded by Councilman Crow, that ... passes to the Municipal Golf Course and the Recreation Park be referred to the City Manager and that the City Manager be empowered to issue such passes, if any, as in his discretion may be allowed.

A substitute motion by Councilman Baumberger, seconded by Councilman Boyd, that the City Manager be authorized to issue passes for casual games at the golf course only to visiting ... visiting Asheville and Buncombe County did not pass, the vote showing ... A motion was then offered to recess until 7:30 P. M. Friday.

Wickes Wamboldt
Mayor

E. G. Thompson
City Clerk



Friday, February 15, 1974 - 7:30 P. M.

The City Council met in recess meeting, Mayor Wamboldt presiding. Present: Councilmen John E. Baumberger, Plott Boyd, H. G. Brookshire, Charles F. Crow, ... Little, E. H. Miller, H. W. Rainey, Wickes Wamboldt and Jack Westall, City Manager, George L. Hackney and Corporation Counsel, C. A. Blackstock.

✓

The Mayor called the meeting to ... stated the meeting was open to all interested citizens who wished to be heard on the question of transportation systems in the City, whereupon several citizens spoke in favor and opposition to the transfer from street cars to busses.

The proposal of Mr. C. S. Walters, Vice-president of the Carolina Power & Light Company was read and a motion made by Councilman Baumberger, seconded by Councilman Little, that a tentative agreement be arrived at between the Council and the Carolina Power & Light Company before any change is made and an opportunity be given the public to express itself on the agreement.

A substitute motion by Councilman Crow, seconded by Councilman Rainey, that a committee composed of the City Manager, Corporation Counsel, Councilmen Boyd, Miller and Westall confer with representatives of the Carolina Power & Light Company, and if they can come to an agreement, prepare a resolution or ordinance for the consideration of the Council at the next meeting, carried unanimously.

✓

Mr. Hackney reported that he had been approached recently by a representative of the United States Fidelity and Guaranty Company in regard to making a settlement with the city in the case of ... H. E. Davis; that a ... with Mr. W. B. Henderson, City Auditor, and Mr. C. A. Blackstock, Corporation Counsel, and every item of the $3,300.00 claim filed with the United ... States Fidelity & Guaranty Company had been checked and it had been decided that the total amount that could be recovered if judgment should the case go to trial, would not be in excess of $1,800. He stated the bonding company had off ... to make settlement on this basis, and requested the acceptance of the offer.

Councilman Miller moved, seconded by Councilman Westall that the Council accept the recommendation of the City Manager. ... several councilmen spoke in opposition to settlement with the bonding company, stating they could not vote for the recommendation as it was a question of principle and the Council should ... action that would prejudice the criminal court.

A motion made by Councilman Little, seconded by Councilman Westall that the matter be tabled until the criminal case has been disposed of, carried unanimously.

✓

Resolution authorizing the Mayor of the City of Asheville to execute quit-claim deed to property acquired by tax foreclosure suit; the application of certain rents to apply on the payment of 1967 taxes (Charles R. Hudgins, Trustee) was on motion of Councilman Joseph W. Little, seconded by Councilman Scott H. Miller, unanimously adopted.

RESOLUTION AUTHORIZING THE MAYOR OF THE CITY OF ASHEVILLE TO EXECUTE QUIT-CLAIM DEED TO PROPERTY ACQUIRED BY TAX FORECLOSURE SUIT; THE APPLICATION OF CERTAIN RENTS TO APPLY ... PAYMENT OF 1967 TAXES.

WHEREAS, it appears that Charles R. Hudgins, Trustee for F. M. Rose, L. F. Holland, M. P. Carhat, Lenore D. Drew, Margaret Donnahoe and Blanche B. Hudgins, ... title to the above mentioned lot by deed from W. K. Whitson to Charles R. Hudgins, recorded in deed book 441, page 339, the said W. K. Whitson having received title ... from Ridley Kessler, which deed is recorded in book 757, page 81; Ridley Kessler having received title ... deed from Katherine Johnson, said ... recorded in book 379, page 447; and Katherine Johnson having received her ... from the ... for 1967, F. F. Williams, under whose name the certificate was sold; and,

WHEREAS, since acquiring the property, the City of Asheville has collected certain rents on this property; and,

WHEREAS, Charles R. Hudgins, the Trustee for the above mentioned owners, desires to have a certain portion of the rents applied on the payment of the 1967 taxes.

NOW, THEREFORE, BE IT RESOLVED THAT THE CITY COUNCIL OF THE CITY OF ASHEVILLE:

That the Mayor of theCity of Asheville is hereby authorized and directed to execute a quit-claim deed to Charles R. Hudgins, Trustee for F. M. Rose, L. F. Holland, M. P. Carhat, Lenore D. Drew, Margaret Donnahoe and Blanche P. Hudgins; and;

February 16, 1934.

...that the rents collected by the City of Asheville ... above property be applied on the payment of 1927 taxes; but that there ... Charles H. Hudgins, Trustee, if and in the event the ... collected exceed the amount of taxes due on said property for ... 1927.

... the adoption of the foregoing resolution.

Joseph W. Little
COUNCILMAN

...D BY: Ernest H. Miller
COUNCILMAN

..., Wickes Wamboldt, this the 16th day of February, 1934.

...:
Wickes Wamboldt
COUNCILMAN

E. G. Thompson
CITY CLERK

... Miller moved, seconded by Councilman Little, that the Council ... at previous meeting to defer action on radio for Police ... carried, all Councilmen voting "aye" except Councilman ...

... by Councilman Chas. F. Crow, seconded by Councilman Ernest H. Miller ... authorizing the City Manager to appropriate One Thousand Dollars for a short ... in the police department. On being put to a vote Councilmen Boyd, Crow, Little, Miller, Rainey, Westall voted "aye", Councilmen Baumberger, voted "no" and Councilman Brookshire voted "present", the resolution was adopted.

RESOLUTION AUTHORIZING THE CITY MANAGER TO APPROPRIATE ONE THOUSAND DOLLARS FOR SHORT-WAVE RADIO IN THE POLICE DEPARTMENT.

WHEREAS, negotiations have been carried on with the Sheriff's Department and the Board of County Commissioners of Buncombe County to install a short-wave ... for the receiving ... control cars of the police department of the city ... with the Sheriff's Department of the County of Buncombe; and,

WHEREAS, the Board of County Commissioners has approved the installation of ... in the Sheriff's Department, with an understanding that the City and County divide the expense in procuring said radio; and,

WHEREAS, the total cost to the City, in sharing its part of the expenses, would be in the amount not to exceed ($1,000) dollars, this being a radio transmitter ... county.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ASHEVILLE:

That the City Manager be and he is hereby authorized to appropriate one thousand ($1,000) dollars, the City's share, for the installation and set-up of short-wave ... receivers in the police department of the City of Asheville and the Sheriff's Department of the County of Buncombe.

... the adoption of the foregoing resolution.

Chas. F. Crow
COUNCILMAN

...D BY: Ernest H. Miller
COUNCILMAN

..., Wickes Wamboldt, this the 16th day of February, 1934.

Wickes Wamboldt
MAYOR

E. G. Thompson
CITY CLERK

...:
...

An ordinance to license and regulate pool rooms and miniature pool rooms and ... to provide for the revocation of such license was introduced by Councilman ..., seconded by Councilman Westall, and on motion of Councilman Miller, seconded by Councilman Westall, ordered referred to the City Manager for report.



February 16, 1934

...

City Manager Geo. L. Hackney reported that Mr. R. L. ... per month for the first two months and $15.00 per month for the remaining ... rent of a few feet at the dead end of ... for a pump, and recommended that the space be granted with the proviso that the contract be terminated on seven days' notice from the City.

Councilman Crow moved, seconded by Councilman Westall that the recommendation of the City Manager be accepted: this motion was unanimously carried.

Councilman Miller moved, seconded by Councilman ... that the ordinance providing for application for water connections, ... together with provision for collection of ... water ... for, of separate meter for each building, ... minimum charge ... for installation and again offered for consideration be deferred until the next meeting.

The motion presented at the last meeting ... to the Municipal Golf Course and the Recreation ... that the City Manager be empowered to issue such ..., if any, ... be allowed, was again introduced and voted on. Voting "aye" Councilmen Little, Crow, Westall, Rainey and Miller, Voting "no" Councilmen Boyd, ... Brookshire, Mayor Wamboldt did not vote, Councilman Baumberger was absent from the Council Chamber when the vote was taken. This motion carried.

There being no further business ..., on motion, adjourned.

Mayor

City Clerk

Thursday, February 22, 1934- 2:30 P. M.

The City Council met in regular session: Mayor Wamboldt presiding. Present: Councilmen John F. Baumberger, Plott Boyd, H. G. Brookshire, Charles F. Crow, Joseph W. Little, E. H. Miller, Wickes Wamboldt and Jack Westall, ... City Manager Geo. L. Hackney.

The minutes of the previous meeting were read and approved with the following corrections:

In the report on radio for police department read by Councilman Westall the word transmitter and receiver to be used in place of ... set, and the motion to defer action was seconded by Councilman Brookshire.

At Friday's recess meeting, Councilman ... moved, seconded by Councilman Little, that the Council reconsider the motion ... at previous meeting to defer action on radio for police department. This motion carried, all Councilmen voting "aye" except Councilman Baumberger.

When voting on the motion of ... for the Golf Course and Recreation Park, Councilman Baumberger was absent.

Councilman Miller moved, seconded by Councilman ... that the rules be suspended and citizens be heard at this time.

Dr. B. F. Hall made a request that permission be granted the Veterans of Foreign Wars to sell poppies on the streets of Asheville on May 19th, and should that day be bad, they be allowed to sell on May 26th.

It was moved by Councilman Miller, seconded by Councilman Baumberger and adopted, that the matter be referred to the City Manager with power to act.

Mr. James S. Howell representing residents of Kenilworth, made a request that busses be provided by the power company for that section of the city. He was assured that Kenilworth would be considered when the schedule is worked out.

The request of the Action Arbogast for refund of $300 paid twice through error [illegible] Councilman Westall, seconded by Councilman Boyd, [illegible] the Corporation Counsel and the City Manager

[illegible] requested that a permit be granted the Modern Woodmen of [illegible] arrival to the City during the month of April for the purpose [illegible] this organization.

[illegible], seconded by Councilman Bowerman, that it [illegible] the Modern Woodmen of America file their application [illegible].

[illegible] Fannie B. McCoy relative to unpaid water bills [illegible] petition for relief of same was read and on motion of Councilman [illegible], seconded by Councilman Bowerman, the matter was referred to the City Manager for [illegible].

Councilman Westall, seconded by Councilman Westall that action on the [illegible] refusal of application for water connections, and written permits therefor, [illegible] delinquent water rentals and for installation [illegible] minimum charge therefor be deferred for another [illegible].

Councilman [illegible], for the Transportation Committee, reported that up to the [illegible] Committee was able to reach an agreement with the Carolina Power [illegible] and that the matter would be held in abeyance until further details have been [illegible].

[illegible] matter, seconded by Councilman Cro[illegible], was accepted [illegible] line.

[illegible] for Councilman Mahoney, presented maps prepared for [illegible] additional parks and playgrounds in the city, [illegible] A Plan.

[illegible], seconded by Councilman Bowerman, that they be [illegible] the planning commission. Councilman Boyd, [illegible] that the Council reconsider its action just taken and [illegible] Councilman Bowerman, Chairman of Committee on Parks [illegible]. Motion carried.

[illegible] City [illegible] in conformity with business of February 15, 1954, [illegible] P. W. A. for $94,927.00 for an airport.

[illegible] Councilman H. G. Brookshire, seconded by Councilman Westall, [illegible] City Council carried.

[illegible] FOR CONSIDERATION OF CITY COUNCIL.

[illegible] public interest for each member of the City Council [illegible] every matter of importance presented to the City Council, [illegible] consideration in advance of the date of its consideration, so as [illegible] thereon.

[illegible], BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ASHEVILLE:

That [illegible] be added to the rules of procedure heretofore adopted [illegible] Council, to read as follows:

"No resolution or ordinance shall be considered at any meeting of the Council [illegible] resolution or ordinance shall have been presented in writing to [illegible] Council at least twenty-four (24) hours previous to the date and hour of the Council meeting at which introduced, or unless such written resolution or ordinance shall have been mailed to each member of the Council at least forty-eight (48) hours previous to the date and hour of the meeting of the Council at which such resolution or ordinance is to be considered: Provided, however, that by unanimous consent of [illegible] present, a resolution or ordinance may be introduced and considered [illegible] same day without having been previously given or mailed to each member of the Council; and if any resolution or ordinance is not so presented or mailed to each councilman as herein provided, then unless the foregoing shall have been waived by [illegible] consent, such resolution or ordinance shall lie on the table for at least one day following the date of its introduction before being considered."



Be it further resolved that the foregoing [illegible] shall become effective [illegible] days after the date of its passage.

I move the adoption of the foregoing resolution.

[illegible]
COUNCILMAN

SECONDED BY: Jack Westall
COUNCILMAN

[illegible], approved, and adopted, this the 11th day of February, 1954.

Wicks Wambolt
MAYOR

J. C. Thompson
CITY CLERK

APPROVED AS TO FORM:
C. E. Blackstock
CORPORATION COUNSEL.

A resolution that a committee be appointed to make a report of all unfinished business pending [illegible] organization of the present Council, and a list of committees which have not filed final reports and to make recommendations [illegible] rules [illegible] change of hour of meetings, was on motion of Councilman [illegible], seconded by Councilman H. G. Brookshire, unanimously adopted.

RESOLVED:

Be it resolved that a committee of the Council consisting of three members be appointed to bring into the Council a report of all unfinished business pending since the organization of the present Council; and a list of all committees which have not filed final reports; and further that said committee make such recommendations as it may deem fit for further revision of the rules, including recommendations for a change of the hour of weekly meetings.

I move the adoption of the foregoing resolution, this the 11th day of February, 1954.

Joseph W. Little
COUNCILMAN

SECONDED BY: H. G. Brookshire
COUNCILMAN

Read, approved, and adopted, this the 11th day of February, 1954.

Wicks Wambolt
MAYOR

J. C. Thompson
CITY CLERK

APPROVED AS TO FORM:
C. E. Blackstock
CORPORATION COUNSEL.

Mayor Wambolt appointed on this committee: Councilmen Little, Westall and Brookshire.

On motion of Councilman Chas. F. Crow, seconded by Councilman Everett H. Miller, Ordinance #201, entitled An ordinance adopting and appropriating the permanent operating and debt service budgets for the fiscal year [illegible], was passed on its first reading. Voting "aye" for the passage of the ordinance on its first reading, Councilmen Boyd, Brookshire, Crow, Little, Miller, Wambolt and Westall; voting "no" Councilman Bowerman.

Councilman Crow moved, seconded by Councilman Miller, that the rules be suspended the ordinance passed on its second and third readings. A roll call showed Councilmen Boyd, Brookshire, Crow, Little, Miller, Wambolt and Westall voting "aye" for the suspension of rules and passage on its second and third readings, and Councilman Bowerman voting "no". The ordinance was declared adopted and declared to be an ordinance of the City of Asheville, effective the 9th day of March, 1954.

## ORDINANCE #701

AN ORDINANCE APPROPRIATING THE PERMANENT OPERATING [illegible] FOR THE FISCAL YEAR 1933-1934.

[illegible], on the 7th day of December, 1933, the Board of Financial Control [illegible] permanent operating and debt service budgets for the City [illegible] provided by law, and which said budgets are hereto attached; and,

[illegible] have been approved by the Local Government Commission [illegible]:

[illegible], the COUNCIL OF THE CITY OF ASHEVILLE DO ORDAIN:

[illegible] operating and debt service budgets for the fiscal year [illegible] are hereby adopted, and that the amounts and the appropria- [illegible] hereby made, and the Director of Finance of the City [illegible] authorized and directed to make the expenditures in accordance [illegible].

[illegible] the foregoing ordinance, this the 22nd day of [illegible].

Chas. F. Crow
COUNCILMAN

SECONDED BY: Ernest H. Miller
COUNCILMAN

[illegible] immediately but upon its second and third readings and [illegible] of the City of Asheville, effective the 9th [illegible].

[illegible], this the 22nd day of February, 1934.

Wickes Wamboldt
MAYOR

E. G. Thompson
CITY CLERK

[illegible]:

[illegible]
[illegible].

[illegible] APPROPRIATIONS 1933-1934

[illegible]

| | |
|---|---|
| [illegible] Government, | $144,768.94 |
| [illegible] Service, | 575,000.00 |
| [illegible], | 22,675.00 |
| Finance, | 40,473.15 |
| [illegible] Welfare, | 33,038.60 |
| [illegible] Safety, | 320,869.08 |
| Libraries, | 18,428.92 |
| Civil [illegible], | 10.00 |
| [illegible] Works, | 208,957.38 |
| TOTAL | $1,364,191.07 |

[illegible] OF APPROPRIATIONS 1933-1934

| | |
|---|---|
| [illegible] Government, | 300,000.00 |
| [illegible] Service, | 575,000.00 |
| [illegible], | 12,500.00 |
| [illegible], | 328,765.07 |
| [illegible] Welfare, | 6,475.00 |
| [illegible] Safety, | 2,500.00 |
| [illegible], | 4,500.00 |
| [illegible], | ..... |
| [illegible] Works, | 34,451.00 |
| TOTAL | $1,364,191.07 |

[illegible] PERMANENT BALANCED BUDGETS

| | |
|---|---|
| [illegible], | 41,796.40 |
| [illegible], | 341,075.00 |





Mr. Brackney reported [illegible] ordinance regulating miniature pool tables [illegible] providing for the use of same had been prepared [illegible] regulating pool rooms and miniature pool rooms and billiard [illegible], be withdrawn at last meeting, and the new ordinance considered.

Councilman Miller moved, seconded by Councilman Crow, [illegible], that action on the original pool room ordinance be indefinitely postponed.

It was moved by Councilman Miller, seconded by Councilman Westall that an ordinance to regulate miniature pool tables and providing for the use of same in the City of Asheville, North Carolina, same being home rule, be introduced. Councilman Miller moved, seconded by Councilman Westall, that the ordinance be tabled. This motion carried unanimously

There being no further business, the meeting, on motion, adjourned.

Wickes Wamboldt
Mayor

E. G. Thompson
City Clerk

[illegible], February [illegible], 1934 - 4:00 P. M.

The City Council met in regular session [illegible] present: Councilmen John F. Shuberger, Pratt Boyd, [illegible], Charles F. Crow, Joseph J. Little, E. H. Miller, Wickes Wamboldt and Jack Westall, City Manager George [illegible], Corporation Counsel, C. E. Blackstock. The minutes of the previous meeting were read and approved.

The rules were suspended and A resolution in respect to the memory of the late L. M. Bourne and in expression of sympathy to the members of his family was on motion of Councilman Jack Westall, seconded by Councilman Ernest H. Miller, unanimously adopted.

RESOLUTION OF RESPECT TO THE MEMORY OF THE LATE L. M. BOURNE, AND AN EXPRESSION OF SYMPATHY TO THE MEMBERS OF HIS FAMILY.

WHEREAS, Honorable L. M. Bourne, a distinguished citizen of this community, passed away on February 20, 1934; and,

WHEREAS, the said L. M. Bourne for a long period of years has been identified with municipal affairs of the City of Asheville as City Attorney, and was author of a codification of the city charter and ordinances, known as Bourne's Code; and,

WHEREAS, the entire community sustains a great loss in the death of an esteemed citizen.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ASHEVILLE:

That the City Council does hereby express its sympathy to the members of the family of the late L. M. Bourne, and, in doing so, expresses the sorrow of the entire community because of the loss of splendid and noble citizen.

BE IT FURTHER RESOLVED that a copy of this resolution be spread upon the minutes of the City Council; that another copy of this resolution be furnished to the widow of the late L. M. Bourne; and that another copy of this resolution be furnished to the different newspapers of this community.

I move the adoption of the foregoing resolution, this the 1st day of March, 1934.

Jack Westall
COUNCILMAN

SECONDED BY: Ernest H. Miller
COUNCILMAN

Read, approved, and adopted, this the 1st day of March, 1934.

Wickes Wamboldt
MAYOR

E. G. Thompson
CITY CLERK

APPROVED AS TO FORM:

C. E. Blackstock
CORPORATION COUNSEL

A resolution adopted by the Monarch Club requesting the City Council to contact the Tennessee Valley Authority with a view of obtaining power from said authority for the use of Asheville and Buncombe County was read and on motion of Councilman [illegible], seconded by Councilman Brookshire unanimously ordered referred to the Chairman of the Public Utilities Committee and the City Manager.

Mr. James C. Howell presented petition from residents of the Kenilworth section asking the City Council to include in any contract entered into between the City of Asheville and the Carolina Power & Light Company relative to replacement of street cars by bus service provision that will guarantee adequate bus service for the Kenilworth section. Motion by Councilman Cox, seconded by Councilman Baumberger that the petitions be referred to the Bus Committee passed unanimously.

Jack Fleming, representing Mr. Fleming operator of the bus system in Asheville, presented petitions requesting him to continue his service, and asked for time to present them to the bus committee.

Councilman Brookshire moved, seconded by Councilman Little, that Mr. Fleming or any citizen who may have petitions be permitted to present them to the Bus Committee. Motion carried.

A communication from the Sub-committee for the Bondholders Protective Committee, and the Noteholders Protective Committee for Asheville and Buncombe County notifying theCity Council that suits will shortly be filed in the United States district court to secure a judicial determination of the validity of the bonds and notes of the city, was read and ordered referred to the Corporation Counsel.

Asheville, N. C. March 1st, 1934.

To the Honorable City Council,
City of Asheville, North Carolina.

Gentlemen:

As you know, we of the Bondholders committee and the Noteholders committee think it necessary to assure their depositors that prior to entering into any arrangement for the refunding of the bonds and notes of the city, the committees shall take steps to secure a judicial determination of the validity of the bonds and notes so as to dispose for all time of any question as to the legality of the securities.

The complaints in these actions are now prepared and we will shortly file suits in the United States district court. These complaints do not contain any demand for an increase in the rate of taxation for debt service or the impounding of any of the revenues of the city, but merely ask for judgments determining the validity of the obligations sued upon.

These actions will permit of the raising of any questions which the city or its citizens may desire to present to the court for adjudication regarding the validity of any of the outstanding bonds and notes and we feel that if the suits are expedited so as to obtain promptly an authoritative adjudication of our respective rights the ultimate solution of the financial problems will be materially advanced.

We wish to assure you that in bringing these actions neither committee has any intention or desire to put an end to the friendly co-operation which has existed between the city and the committees for the past several years, and we feel confident that the city and its citizens will appreciate the advisability of this action at this time.

Respectfully yours,
David M. Wood
Wm Henry Hoyt
Henry Steffens
Co-Executive for the Bondholders Protective Committee, and Noteholders Protective Committee for Asheville and Buncombe County, N. C.

An ordinance authorizing the Mayor to execute quit-claim deed to property acquired by the City of Asheville by tax foreclosure suit (C. R. Perry et ux Annie C, listed as C. R. Perry) was introduced by Councilman Plott Boyd, seconded by Councilman Ernest H. Miller, and read in full.

AN ORDINANCE AUTHORIZING THE MAYOR TO EXECUTE QUIT-CLAIM DEED TO PROPERTY ACQUIRED BY THE CITY OF ASHEVILLE BY TAX FORECLOSURE SUIT.

WHEREAS, it appears to the City Council of the City of Asheville that on January 22, 1934, certain tracts of land were sold by the City of Asheville, said tracts of land having been acquired by the City of Asheville by tax foreclosure suits for delinquent taxes for the year 1930; and



WHEREAS, notice of said sale appeared once a week for four successive weeks in the Asheville Times newspaper, after which the said tracts were regularly sold at the court house door and bid in as follows:

| CERTIFICATE | DELINQUENT | LOT | BLOCK | MAP | ASSIGNED TO |
|---|---|---|---|---|---|
| 2834 | C. R. Perry et ux Annie C. | 10 | [illegible] | [illegible] | Annie C. Perry |

WHEREAS, it appears that the above property was bid in by the listed owner, but it also appears that the tax commissioner of the City of Asheville notified said listed owner by registered letter, which letter was returned by the postoffice department to the tax commissioner, which said registered letter notifying the listed owner that the property was sold on the above date and that the property would be deeded to the said listed owner to appear in the office of the tax commissioner within thirty days from the date of said sale; and,

WHEREAS, the said thirty days has expired and the said listed owner has not filed any objection to the sale; and,

WHEREAS, it appears from a report of the tax collector that the property has been properly listed for taxes for the years 1931, 1932, 1933, 1934, and 1935.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ASHEVILLE:

That the Mayor of the City of Asheville be and he is hereby authorized and empowered to execute a quit-claim deed to the property listed above, said deed to be made to the bidder as shown above, who bid the amount set opposite the sale thereof on the 22nd day of January, 1934, which said deed shall be given upon the payment to the City of Asheville of the amount of taxes, penalties and costs, and the tax commissioner shall in the subsequent items to pay be calculated on the property taxes, penalties and costs as shown above, the amount is set out.

I move the adoption of the foregoing ordinance.

[illegible]

[illegible]:

Mayor, [illegible], [illegible], [illegible], [illegible].

[illegible]
City Clerk

C. E. Beckstead
CORPORATION COUNSEL.

Councilmen Plott Boyd, Jack Westall and Ernest H. Miller, members of the Transportation Committee submitted a report on the proposed ordinance embodying contract for substitution of motor busses for street cars as follows: [illegible] to be prepared the enclosed ordinance embodying the form of contract which we recommend for adoption. For your information we will state that we have sent the enclosed contract to Mr. C. S. Walters, V-P. of the Carolina Power and Light Company, informing him that we are recommending to the City Council the adoption of the enclosed ordinance. A copy of the letter to Mr. Walters and ordinance [illegible].

It was moved by Councilman Little, seconded by Councilman Cox and carried that the report be accepted for consideration and study at the Council meeting [illegible].

Mr. Mackney reported the records showed Mr. Wade Arbogast had paid the 1933 taxes on a certain lot and the Consolidated Realty Co. had paid the taxes thereon, and he recommended that Mr. Arbogast's company be refunded $[illegible], the amount paid.

Councilman Miller moved, seconded by Councilman Cox, that the City Manager be empowered to pay Mr. Arbogast $[illegible] for taxes paid twice. Motion carried.

Mr. Mackney reporting on the complaint of unpaid water bills charged to the Associated Charities, stated that had been some confusion caused by water rents originally charged to the Associated Charities not being changed on the books to the individual consumer where the Charities are no longer responsible, but a change has been made in the

individuals and noting those that are being paid by the ... Relief. He suggested that anyone having a complaint could ... directly to the Water Department.

... meeting, on motion, adjourned.

E. G. Thompson
City Clerk

Thursday, March 8, 1934- 4:30 P. M.

The City Council met in regular session; Mayor Wamboldt presiding. Present: Councilmen John E. Baumberger, Plott Boyd, A. C. Brookshire, Chas. F. Crow, E. H. Miller, H. ... Rainey, Wickes Wamboldt and Jack Westall, City Manager, George L. Hackney and Corporation Counsel C. E. Blackstock. The minutes of the previous meeting were read and approved.

A communication from the City Planning Commission was read, suggesting a site known as the Council property adjoining the Hill Street School property to be used as a park playground center for use of the colored people, and recommending that the matter be considered by the Council, which was on motion of Councilman Miller, seconded by Councilman Westall, unanimously ordered referred to Councilmen Baumberger, Boyd and the City Manager.

Mr. W. A. Sullivan, Attorney, appeared before the Council and requested that the Council ... the ordinance requiring drivers licenses and city license tax from all ... Mr. Blackstock read a portion ... city could not levy license tax ... not ...

... by Councilman Baumberger, that the ordinance ... This motion carried.

... Modern Woodmen of America, presented a ... carnival company to operate under the auspices ... license tax ordinance, the progress to ...

... by Councilman Miller, that the Corporation ... the city to ... the request submitted. ...

... the death of Mrs. L. P. Hunter, sister of Councilman ..., seconded by Councilman John E. Baumberger, seconded by Councilman ...

... of Mrs. L. P. Hunter,
...

... City Council of the City of Asheville has learned today of the ... Charlotte, North Carolina, sister of Councilman Joseph ...

... of the City Council to express its sympathy and ... Boyd and Councilman Little.

... BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ASHEVILLE:

... Council does by express its sympathy to the members of the family ... L. P. Hunter.

... that a copy of this resolution be spread upon the ... City Council; that another copy be furnished to the family of the ... Mrs. L. P. Hunter.

I move the adoption of the foregoing resolution.

John E. Baumberger COUNCILMAN

...: H. ... Rainey COUNCILMAN

..., this the 8th day of March, 1934.

APPROVED AS TO FORM:
C. E. Blackstock
CORPORATION COUNSEL

Wickes Wamboldt MAYOR
E. G. Thompson CITY CLERK



March 8, 19...

Mr. J. ... Gunter, representing residents on ... Frank Bros. Avenue, protesting against the action ... construct a colored school in their vicinity.

Council ... Commissioner's motion, seconded ..., that the City Attorney ... Corporation Counsel ... ordinance ... submit to the ... Council ... unanimously.

Councilman Baumberger's motion ... Council ... Power Company in regard to substitution ... basis for ... unanimously.

A resolution authorizing the Mayor to execute ... properties acquired by the City of Asheville by tax foreclosure sale (1... ville, said ... Councilmen ... unanimously ...

A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE QUIT-CLAIM DEEDS TO CERTAIN PROPERTIES ACQUIRED BY THE CITY OF ASHEVILLE BY TAX FORECLOSURE SALE.

WHEREAS, it appears to the City Council of the City of Asheville that on February 5, 19..., certain tracts of land were sold by the City of Asheville, said tracts of land ... acquired by the City of Asheville ... for delinquent taxes for the year 19...; and,

WHEREAS, notice of said sale was given ... the manner provided by law, and the sale was duly held by the ... court ... on the following:

| City | Lot | Lot | Lot | Lot |
|---|---|---|---|---|
| 1113 | M. O. Causey, | ... | ... | ... Co., Inc. |
| 2315 | Asheville Const. Co | 17 to ... | ... | ... |
| 2324 | F. ... Graham | 20 | ... | ... |

WHEREAS, ... bid ... for the property ... sold, but ... bid ... said lists ... by ... Asheville, ... bid ... and that the property was sold ... bid; and ... to appear in the office of the City Collector ... bid; and,

WHEREAS, the said ... City of Asheville, by the Post Office Department, ... "Unclaimed"; and,

WHEREAS, it appears from ... City ... has been listed for taxes for the year ... as follows:

| City | Taxes Listed |
|---|---|
| 1113 | 19... through 19... |
| 2315 | 19... through 19... |
| 2324 | 19... through 19... |

NOW, THEREFORE, BE IT RESOLVED ... Council ... of Asheville:

That the Mayor of the City of Asheville ... is hereby authorized and empowered to execute quit-claim deeds to the properties listed above, said deeds to be made to the bidder as shown above, who was the highest ... bid on the lot shown above, which deed is to be turned over to the tax Collector of the City of Asheville who will deliver the same to the bidder, upon payment of the amount of taxes now a lien on the said property, together with all ... tax assessment taxes to as may be calculated by the proper tax officers, together with the cost of advertising, which amount is set forth in the deed.

I move the adoption of the foregoing resolution.

Plott Boyd
COUNCILMAN

SECONDED BY: ... H. Miller
COUNCILMAN

Read, approved and adopted, this the 8th day of March, 19...

Wickes Wamboldt
MAYOR

APPROVED AS TO FORM:
C. E. Blackstock
CORPORATION COUNSEL.

E. G. Thompson
CITY CLERK

March 9, 19

...ckney, reported in regard to the registering of a ... with the Federal Emergency Relief for this community, that ... pieces of city property below the North Fork watershed ... for the establishment of a community garden, and recommended that the ... the boundary of the tracts required ... living quarters for the workers approved by the City ... shall have full supervision over ...

... seconded by Councilman Westall, that the City Manager's ... motion carried.

... Councilman Westall, seconded by Councilman Miller, that this ... Friday, March 9th, carried.

E. G. Thompson
City Clerk

Friday, March 9, 1934- 4:30 P. M.

... Council met in regular session; Mayor Wamboldt presiding. Present: Councilmen Smith, Plott Boyd, H. G. Brookshire, Chas. F. Crow, Joseph W. Little, ... Miller, ... Briney, Dickes Wamboldt and Jack Westall, City Manager, ... Assistant City Attorney and Corporation Counsel, C. L. Blacktock.

Councilman ... motion, which was seconded by Councilman Westall, that ordinance entitled An ordinance to authorize the execution of a contract between the City of Asheville and the Carolina Power & Light Company, agreeing to a modification ... Asheville Street Railway franchises so as to permit a substitution of motor ... for the present street cars are now operated be read.

Councilman ... point of order, stated that a resolution passed by the Council ... provided that no resolution or ordinance shall be considered ... Council unless such proposed resolution or ordinance shall have been ... by members of the Council at least 24 hours previous to the ... Council meeting at which introduced, was effective today. Corporation Counsel, C. L. Blacktock ruled that the resolution does not become effective ... fifteen days after passage which is midnight tonight. Mayor Wamboldt ruled that ... effective until 5 o'clock tonight. An appeal from the ruling of ... Councilman Brookshire, which was seconded by Councilman ... vote ... ruling of the chair was sutained.

Councilman ... substitute motion which was seconded by Councilman ... consideration of the ordinance be deferred until the next regular ... Council. ... motion lost there being five noes and four ayes.

... seconded by Councilman Miller, that the ordinance be ...

... list of objections to the agreement:

1. ... provision for a forfeiture of any or more of ... for failure to keep and perform the agreement.

2. ... ignores, without any consideration, certain dormant franchises, ... for 50 or more years, and which could have and should ... forfeited.

3. ... specifically require the Company to give one iota of ... present schedule frequency or even as great a ... at present.

4. ... to transport school children to McDowell street ... reopened.

5. ... to give service to any territory which is not now ... to give service on streets where they now have ... which will be revived by the agreement.

6. ... objectionable, and very probable, for the City to lose ... equivalent to the amount of the present franchise tax or ...

7. ... require the Company to buy its gasoline within the ... contribute its equal portion of taxes, as other ... position must do, to the state for the maintenance of ... at the same time makes unequal competition.

8. The agreement recognizes as being in force certain franchises which have expired and thereby makes valuable that which has no value without any consideration.

9. It is possible for the franchise to be assigned to an insolvent company and leave the City without service or recourse.



A substitute motion made by Councilman Crow, ... by Councilman ..., that the rules be suspended and the ordinance be put on all ... which motion carried by the vote of five ayes and four noes, less than a two-third vote of the members of the Council.

Councilman Boyd's motion, which was seconded by Councilman ..., that the ordinance be placed on its first reading and if it passes it be placed on the ... third readings on next Thursday last.

Councilman Little moved that Ordinance #102 be amended by inserting at the end of Section 2 as now written, the words "by said Company". ... motion ... by Councilman Crow, vote ... carried.

Councilman Boyd moved, seconded by Councilman ..., that Ordinance #102 be amended by changing Section 5 line 2 "16 or ... persons" to read "16 or more persons". A vote was taken and the motion carried.

Amendments offered by Councilman Boyd, ... by Councilman Brookshire to amend Sections 6 and 12 were offered voted on and lost.

On motion of Councilman Westall, ... by Councilman Miller, Ordinance #102, An ordinance to authorize the execution of a contract between the City of Asheville and the Carolina Power & Light Company, agreeing to a modification of the Asheville Street Railway franchises so as to permit a substitution of motor ... for the ... cars are now operated, passed on its first reading. Voting "aye", Councilmen Crow, Little, Miller, Briney, Wamboldt and Westall, voting "no" Councilmen Brumberger, ... and Brookshire.

On motion of Councilman Crow, ... by Councilman Miller, ... until 11 o'clock, Saturday morning, March 10th.

Mayor

E. G. Thompson
City Clerk

...urday, March 10, 1934- 11 o'clock, A. M.

The City Council reconvened; Mayor Wamboldt presiding. Present, Councilmen John E. Baumberger, Plott Boyd, H. G. Brookshire, Chas. F. ..., Joseph W. Little, E. H. Miller, ... Briney, Dickes Wamboldt, ... Jack Westall, City Manager Pierce D. Beckney and Corporation Counsel, C. L. Blacktock.

Mayor Wamboldt asked the opinion of the Corporation Counsel as to the legality of the Council ... Ordinance #102, entitled An ordinance to authorize the execution of a contract between the City of Asheville and the Carolina Power & Light Co., agreeing to a modification of the Asheville Street Railway franchises so as to permit a substitution of motor bus transportation upon the routes ... now operated ... passed on its second reading. Corporation Counsel, C. L. Blacktock, ... in his opinion the ordinance ... was passed on its second reading, ... the ordinance shall be read on three separate days. The Chair will be in conformity with the ruling of the Corporation Counsel, the ordinance ... be read ... at this meeting.

Councilman Briney moved, seconded by Councilman Miller, that Ordinance #102, entitled An ordinance to authorize the execution of a contract between the City of Asheville and the Carolina Power & Light Company, agreeing to a modification of the Asheville Street Railway franchises so as to permit a substitution of motor bus transportation upon the routes where street cars are now operated be placed on its ... reading.

A motion ... by Councilman Boyd, ... Section 9 did not carry the vote showing five ayes and four noes.

A vote was then taken to place the ordinance on its ... reading, voting "aye" Councilmen Crow, Little, Miller, Briney, Wamboldt and Westall, voting "no" Councilmen Brumberger, Boyd and Brookshire, the ordinance was ... passed on its second reading.

A motion offered by Councilman Brookshire, ... by Councilman Boyd, that the third reading of the ordinance be ... until the regular meeting next Thursday and in the meantime a ... to the citizens of the public did not carry, the vote showing five ... four ayes.

...Councilman Crow that the Ordinance be ... The City Clerk ruled that the motion cannot be ... Councilman Little moved, ... Council reconsider the motion of yesterday ... all those voting nay, this motion ... by Councilman Rainey that the ... third and final reading, that the rules be suspended in order ... motion lost, the vote being five ayes and four noes, ... Council.

...City Engineer, ... on the ... to take care ... Councilman Miller, ... by ... Corporation Counsel and the City ... of those ...

...ce, ... Councilman Miller, ... ion ... any other business.

City Clerk

...March 18, 1935 - 7:30 P. M.

... Mayor Carbolit presiding. Present: ..., Councilmen Crow, Jones, ... Jack Westall, City Manager, ... Blomstock.

... petition for Maxwell C. Davis requesting ... 1939 on property in Lake View Park be refunded ... in accordance with ... He also presented a petition for May ..., stating he was on the payment of city taxes for the ... Park.

... by Councilman Westall, that the petitions be ... City Manager for investigation and report. ...

...

... offered by Councilman Westall that Ordinance ... reading.

... by Councilman Brookshire that the Ordinance ... Section 5 reading as follows: Section 5-A ... sufficient transportation ... as practical over ... to transport school children to and from said ... shall be open. This motion did not carry.

... by Councilman Boyd, seconded by Councilman Baumberger, that ... "shall" in line 7 "shall not be construed except by the ... motion failed to carry.

... offered by Councilman Baumberger, seconded by Councilman ... and failed to be adopted:

... by adding the words "such portion of " after the word "over in the ...

... by striking out the word "permit" wherever it appears in the 6th ...

... by adding after the word "continued" in line 11 ", without extra ... ."

... new section after Section 12 reading as follows: "Section 12-A ... agreement is not to modify, alter or amend any of the franchises under ... Company, or to relieve the Company from complying with any of ... set forth in such franchises, except as is specifically set ... terms and condition of such ... fully comply with any of the terms and conditions of this agreement shall operate ... modification of the terms and conditions of this agreement". ... forfeiture of all rights and privileges under such franchise and this agreement.



March 18, 1935

Amend by adding a new section after section 10 to be known as Section 10-A, reading as follows: "Notwithstanding ... during such periods as the State of North Carolina ... discontinue ... discretion, the said Company agrees to purchase within the City ... gasoline used by the said Company in the City of Asheville."

Amend Section 5 by striking out ... including the word "traffic" in line 7 and inserting in lieu thereof the following: "If in any period of one hour during the peak hours of travel ... transported in either and/or both directions per trip, ... point, during any one week period, shall be ... Company agrees to increase the frequency ... to maintain such service until the average number ... however, between terminal and/or transfer points ... transported shall be 15 or more for the same period in such trip one bus for colored people and one bus for ... until the average number of colored persons transported ... for such trip or trips. In order to determine ... right to make a survey at any time, upon ... Company shall furnish an agent or agents to accompany ... furnished by the city during the time the survey is being made. ... city shall be transported free while making such survey. ... agent or agents traversing together each trip the entire route or routes ... such notice, for the period required as set forth above. ... or additional service has been increased in accordance ... then said Company shall not reduce such frequency ... a survey has been made in the manner set forth above."

On motion of Councilman Westall, seconded by Councilman Miller, ordinance No. ..., entitled An ordinance to authorize the execution of a contract between the City of Asheville and the Carolina Power & Light Company, agreeing to modify certain ... Railway franchises so as to permit the substitution of motor bus transportation for ... routes where street cars are now operated, was ... third and final reading. Voting "Aye" Councilmen Crow, Little, Miller, Rainey, Westall, Jones, Baumberger, Boyd and Brookshire, the ordinance was declared duly passed to become effective according to statute, the 28th day of March, 1935.

ORDINANCE #808.

AN ORDINANCE TO AUTHORIZE THE EXECUTION OF A CONTRACT BETWEEN THE CITY OF ASHEVILLE AND THE CAROLINA POWER & LIGHT COMPANY, RELATIVE TO A MODIFICATION OF THE TRANSPORTATION UPON THE ROUTES WHERE STREET CARS ARE NOW OPERATED.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ASHEVILLE:

SECTION 1. Definitions: The names, terms, ... shall be construed to include the definitions set forth ... section:

"Company": Carolina Power & Light Company or its successors or assigns.
"City": The City of Asheville or its successors.
"City Council": The governing body of the City of Asheville.
"City Manager": The City Manager or the administrative head of the government of the City of Asheville.

SECTION 2. Contract: That the Mayor and the City Council are hereby authorized and directed to enter into a contract for and in the name of the City of Asheville, as follows:

THIS AGREEMENT, executed in duplicate, ... entered into this ... day of _____, 1935, by and between the CITY OF ASHEVILLE, a duly incorporated municipal corporation of Buncombe County, North Carolina, party of the first part, hereinafter called "City", and the CAROLINA POWER & LIGHT COMPANY, a duly chartered public service corporation of North Carolina, having offices in the city of Asheville, party of the second part, hereinafter called "Company".

WITNESSETH:

That, WHEREAS, Company, as assignee or transferee of certain franchises granted by the City of Asheville, is engaged in the operation of an electric street railway system within said city, and

WHEREAS, it has been agreed by and between Company and City that the comfort, convenience and safety of the public will be promoted by discontinuing the operation of electric street cars and substituting motor buses as the means or method of discharging Company's obligation to provide transportation under said franchises:

NOW, THEREFORE, in consideration of the premises and of the mutual covenants and agreements as hereinafter set forth, to be kept and performed by the respective parties hereto, City and Company do hereby contract and agree as follows:

...erformance of Company's obligation to provide ... the franchises held by it, Company is hereby ... by City to discontinue the use and operation of ... within City, and to remove and abandon its ... provided for, and Company is hereby given and granted ... privilege, and right, permit and privilege Company ... substituting motor buses and operating the same over ... which street railway cars are now being ... provisions of said franchises and of this ... within which to ... thereof, ... provided for herein.

... the substitution of motor buses ... Company, within reasonable time and at ... from the streets of City all poles and overhead ... exclusively for and in the operation of ... Company shall not be required to remove ... within the paved area of ... Company at its own expense and within such reasonable time ... labor and other conditions will permit, ... asphalt or other standard street surfacing material, ... is customarily employed for such purposes and ... of other portion of street on each side thereof ... City occupied by Company's rights-of-way, ... thereof which are to be moved or removed, ... supervision, and at the expense, of the ... City. Any area from which ... parallels any street, shall be ... Company.

... by City in writing within thirty days from ... Company, in lieu of doing the work of surfacing ... provided for in the next preceding Section 2 ... substitution of motor buses is ... will pay to City the sum of _____ ... provided for in the aforesaid Section 2, is ... In lieu thereof, Company pays to City the said pay... ... in either event Company shall ... from any other or further obligation or ... franchises, or either of them, to re... ... any portion of any of the streets of City, ... thereof.

... charged passengers of said motor ... charged passengers upon street ... the fare charged by Company from any stop or ... route to any other stop or station along ... existing and/or hereafter created by permit ... as follows: For adults, the cash fare shall be ... continuous trip, or Company shall sell six tickets for ... For school children, the fare shall be two and one-... continuous trip, under the same terms and conditions as ... Company agrees to issue transfer tickets to ... It is agreed that neither party hereto ... rates during the period of three years ... stops or stations along any said motor ... intersection and such other points as may be ... Company.

... Company agrees to operate buses with ... sufficient number to maintain sche... ... the money is to be observed in the operation of ... published as being in effect on the 1st day of ... the peak hours of travel, Company will provide such ... the volume of the Company's business will justify ... the traffic. In the event the patronage ... the Company at all times will provide ... will justify. Should the City at any time ... the adequacy of the schedules is insufficient, or ... rendered by the Company is inadequate, City shall ... upon Company for more adequate service, and if ... such demand, City shall have the right to ... Public Utilities Commission for the relief demanded.

... The Company agrees to maintain and operate all buses in ... and up to the methods and practices.

... Company agrees to continue in its employment, under the ... and obtaining with respect thereto, all the persons ... in the operation of street cars insofar as such em... ... of performing the duties and doing the work required in ... operations will require.



... For the ... of all motor ... I ... r ...

... If ... by Company to City, for either ... in ... the ... payable by Company to City ... r ... all ... within ... paved ... into ... will justify ... on ... to ... basis.

... Company shall ... by the removal of poles, ... conduits to be constructed by Company in the ... on account of the maintenance ...

... This ordinance shall ... unless the ... Public Utilities Commission ... when thus approved, shall ... and ... as ...

IN ... THEREOF, the ... has caused this ordinance to be ... by its Clerk, and the corporate seal of ... to be hereto affixed, pursuant to an order duly passed by the City Council at its regular ... 11th day of March, 19[illegible]; and the CAROLINA ... COMPANY, party of the second part, has caused this agreement to be executed in its name by its Vice-President, and attested by its Secretary, and its corporate seal to be hereto affixed, all by order of its Board of Directors.

ATTEST: ...

_____ By _____
CITY CLERK ...

ATTEST: ...

_____ By _____
SECRETARY ... VICE-PRESIDENT

SECTION 5. This ordinance shall ... according to ...

I move the ... for ... March, 19[illegible].

... J. ... Hall
... COUNCILMAN

... seconded by: ... Wilson
... COUNCILMAN

... approved ... to become ... effective, according to ..., 19[illegible].

... Vickers Stroup
... Mayor

... L. S. Thompson
... City Clerk

APPROVED AS TO FORM:

C. I. Blackstock
CORPORATION COUNSEL

...Council of the City of Asheville in regard to the ... cutting off a portion of buildings ... by Councilman Westall, seconded by ... the resolution be considered ...

... and voted on and unanimously adopted:

... OF ASHEVILLE IN ... TO ... OF ASHEVILLE ... A ...

... Council of the City of Asheville ... or advise- ... proposed opening or widening ... Asheville: One

... for a building on the corner of North Pack ... taken off: and

... or plats setting forth the ... or plats setting out the zone for benefits ... property owners: and

... of the City of Asheville, after due consideration, thinks ... people of the City of Asheville to carry out the con- ...

... COUNCIL OF THE CITY OF ASHEVILLE:

... by the City Engineer, and attached to this ... City Manager of the City of Asheville is ... special representative of the City of Asheville ... affected by the proposed opening or widening and ... or plats, and he is hereby instructed to ... by law with the property owners affected, and ... his report to this Council at its next regular ...

... the foregoing resolution, this the 11th day of March, ...

Jack Westall
COUNCILMAN

... Feiney
COUNCILMAN

... this the 11th day of March, 1...

Wickes Vanboldt
MAYOR

R. J. Thompson
CITY CLERK

... :

... ...

... ..., the meeting, on motion, was adjourned.

City Clerk



... A. M.

The City Council met in regular session: Mayor ... Councilmen ... Boyd, H. G. ..., C... L. ..., J... L. Little, E. H. Miller, Wickes Vanboldt, and Jack Westall, City ... Hackney and Corporation Counsel G. ... Brockmann. The minutes of ... read and minutes of March 10th corrected to read: The Council ... Monday, March 15th for the purpose of further ... discussion and any other business.

... Attorney ... brought in ... and injunction ... Corporation Counsel.

... DOCKET

... )
... )
... )

... ASHEVILLE, N. C.

... Smith gives notice ... ville, and arising ... North.

I.

That B. E. Smith, claimant ... , ...

II.

That ... D..., ..., ... , ... ville known as ... , ... ve the ... ville known as ... 10", ... , ... , and that the claimant ... , ... in all probability ... and injuries ... fall, ... further injuries ... , ... s ... and almost ... of ... will thereby knock the ... permanently ... and ... thereby causing him to ... considerable period of time ... persons ... injuries have totally disabled the claimant ... and ... causing him to lose much time from ... have ... are causing him to ... in the ... , ... him ... , medicine ... and ... , ...

III.

That the claimant ... injuries and ... resulting to him therefrom ... the City of Asheville's negligent failure to ... in a ... state of repair ... , ... the claimant ... , rough, worn and uneven ... the claimant ... in attempting to walk ... the City of Asheville was further negligent ... proximate result of said negligence the claimant was injured ... in that, said City has for a number of years negligently ... or safe means of any kind along that part of said walk ... culvert, nine feet in height, angles into ... ; nor has the City ... said place nor in any way made the slightest attempt to protect the traveling public from said dangerous pitfall that it, the City, ... , or by the exercise of ordinary care would have known of; and ... because of the ... stated, ... state of repair of said walk ... unlighted condition, and the fact that there were no guard-rails ... top ... of said culvert that the claimant was caused to lose his footing, ... fell into and upon the rocky bed of said creek nine feet below, ... and the injuries and damages for which this notice and claim is made.

IV.

That as a direct and proximate result of the hereinbefore stated negligent failure of the City of Asheville to maintain ... the hereinbefore

[illegible] repair and safeguarded at [illegible] damaged to the extent and in [illegible] for said amount, to-wit, [illegible] by like claim upon the City of [illegible].

[illegible] March, 1934.

Sanford W. Brown
Attorney for Claimant

[illegible], in the said County, deposes and says:

[illegible] Claimant in the foregoing Notice of Claim; [illegible] the same and knows the contents thereof; [illegible] except as to those matters [illegible] upon information and belief, and as to such [illegible] believes it to be true.

B. S. Smith

[illegible] subscribed to before me this 14th day of March,

Rose Low
NOTARY PUBLIC

(Seal)
My Commission expires:
[illegible], 1934.

Mr. [illegible], President of Welcome to Asheville Incorporated, read a [illegible] and welcomed the Council and some other officials of the City Government to [illegible] Florida.

[illegible] Councilman Miller, seconded by Councilman Terrell, voted on and [illegible] the following persons to become members of the [illegible], namely Mrs. Arnold, Vice-Mayor Miller, two policemen and [illegible].

[illegible] from [illegible] that a fallen tree had caused the culvert on [illegible] way to undermine the foundation of her house was referred to the [illegible].

A petition requesting refunds of certain 1929 taxes, declared by the Supreme [illegible] to have been illegally levied was read and on motion of Councilman Little, seconded by Councilman Miller ordered laid on the table until next meeting.

A motion of Councilman Little, seconded by Councilman Miller that An Ordinance [illegible] Article [illegible] of Pownell's Code, the same being an ordinance pertaining to public [illegible] was carried unanimously. The ordinance was then placed on its first [illegible] on motion of Councilman Little, seconded by Councilman Baumberger, voted on and [illegible]. Voting "Aye" Councilmen Baumberger, Boyd, Crow, Little, Miller, Wamboldt and Terrell.

A petition relative to the operation of carnivals in the City of Asheville [illegible] fraternal or charitable organizations was read and on motion of [illegible], seconded by Councilman Wamboldt ordered laid on the table until next [illegible].

A petition relative to money paid by former property owners, on property owned [illegible], to be credited on past due taxes was read and a motion made by Councilman [illegible], seconded by Councilman Wamboldt and adopted that the resolution lie [illegible].

[illegible] special benefit assessments levied on property on Biltmore [illegible] by the City Council, November 15, 1932 was on motion of Councilman [illegible], seconded by Councilman Wamboldt, unanimously adopted.



[illegible] November [illegible];

[illegible], it is the present intention [illegible] Asheville [illegible] by the Board of Equalization November 15, 1932;

[illegible], it is the present intention [illegible] adjustment [illegible] of the previous levi[illegible] on Biltmore Avenue, all in accordance [illegible];

[illegible], it is impossible to [illegible] improvement [illegible] sufficient [illegible] and,

[illegible], that it is contemplated [illegible] Asheville [illegible] Biltmore Avenue, [illegible] Council [illegible].

Now, [illegible],

[illegible] Asheville [illegible] of Biltmore Avenue, [illegible].

Plat [illegible]

[illegible]

[illegible]

[illegible]

[illegible]

A motion of Councilman Boyd, [illegible] providing [illegible] of the City [illegible] on the Asheville Biltmore Junction [illegible] B. J. [illegible]

[illegible]

[illegible], on July 1, 19[illegible], the City [illegible] Mrs. Mary Carr, [illegible],

[illegible] and J[illegible], Mr. B. Blomeyer [illegible] Asheville [illegible],

[illegible], L. B. Jackson [illegible] of [illegible] Asheville [illegible],

Now, [illegible] and:

That the Mayor be and [illegible] to L. B. Jackson and wife Wonderette Jackson, [illegible] is to be turned over to the Tax Collector of the City [illegible] the same upon payment of the amount of taxes now a lien on said property, together with all other taxes subsequent thereto and which would have accrued on the title not open in the City and County, as may be calculated by the proper tax officers, together with cost of advertising, which amount is set forth in the deed.

...ion ... foregoing resolution.

Pledged support
COUNCILMAN

...: Ernest H. Miller
COUNCILMAN

..., this the 15th day of March, 1954.

Wicker Wambolet
MAYOR

E. G. Thompson
CITY CLERK

...K

...

...mission to regulate the sign ...gns upon ... tax foreclosure ...ion; and to regulate ... of Councilman Baumberger, seconded by ...man ... Brook, the resolution to be presented ...ssm.

..., George L. Hackney, Special Agent appointed ... the proposed opening and widening of Broadway ...nt.

March 15, 1954.

... Council, ... and ... Council,

...:

... property owners affected by the proposed ..., and who failed to ... in person or ...

Respectfully,
Geo. L. Hackney
City Manager.

... Mayor of the City of Asheville to issue his writ ... approval, was on motion of Councilman Westall, ... unanimously carried.

...ORDERING ... OF THE CITY ... TO ... AND ... OF THE PROPOSED OPENING AND WIDENING OF BROADWAY.

..., George L. Hackney was appointed Special Agent for the City ... session of this Council, to interview and endeavor ... with property owners within the zone of the proposed ... of Broadway; and,

..., said George L. Hackney has reported to the Mayor and the ... interviewed said property owners, affected by this ..., and ... unable to reach an agreement with the said ... of the said improvement.

... BE IT ORDERED BY THE CITY COUNCIL OF THE CITY OF ...:

... the Honorable Wicker Wambolet, Mayor of the City of Asheville ... authorized to issue his writ, commanding a policeman to ... six freeholders, and that said six jurors shall be unconnected ... affinity with any of the persons affected or supposed to be ... improvement.

... that such policeman is ... directed, in obedience to said writ, ... compliance with Article 1, Section 287, Pennell's Code, to summon a ... six freeholders, as aforesaid, and direct them to assemble at the Mayor's ... City of Asheville at a time to be appointed by such policeman, ... less than twenty nor more than thirty days after the date of said writ.

... such policeman shall see and interview each and every property ... affected by the proposed opening and widening of Broadway, then ... notifying said property owners of the time and the place of the ... jury. Said policeman shall further notify the property owners ... affected, said notice to be in writing and signed by said policeman, and ... the person or persons upon whom service thereof is made, at least fifteen days before said meeting of the jury, in compliance with Article 1, Section ..., Pennell's Code.



March 15, 19...

I move the adoption of the foregoing resolution.

Jack Westall
COUNCILMAN

SECONDED BY: Ernest H. Miller
COUNCILMAN

..., approved and adopted, this the 15th ... of March, 1954.

Wicker Wambolet
MAYOR

E. G. Thompson
CITY CLERK

APPROVED AS TO FORM:
C... Blackstock
CORPORATION COUNSEL.

An ordinance providing for application for water connection, and written permits therefor, together with provision for collection of delinquent water rentals and for installation of separate meter for each building, and minimum charge thereof was on motion of Councilman Little, seconded by Councilman Westall passed on its first reading. Voting "aye" Councilman Baumberger, Little, Miller, Wambolet and Westall, voting "nay" Councilman Hoyt, for the passage of the ordinance on its first reading.

...

...

City Clerk

...

...

The City Council met in regular session on ..., Councilman J... E. ..., H. G. Brookshire, Charles F. ..., Jack M. Little, and Jack ... Westall. ... Councilman Westall, seconded by Councilman Little, Councilman ... was unanimously appointed Chairman in the absence of the Mayor and Vice Mayor. ... minutes of ... meeting were read and approved.

...

A petition filed by Mr. Geo. Pennell ... lots 63 and 64, ..., ward 1, property owned by J. E. ..., for paving, sewer and storm sewer on Glenwood Avenue ... Corporation Counsel for report.

...

Mr. J. E. ... on behalf of the ... Council, ... preliminary expenses in connection with the ... Councilman Westall moved, seconded by Councilman Little, ... be appointed to confer with the Chamber of Commerce ... could be charged to the ... The Chair appointed Councilman Westall, Little and the City Manager.

...

A communication from Miss Minnie ... who have moved from the county into the city who ... Councilman Baumberger, seconded by Councilman ... Mayor.

ORDINANCE PROVI... ...

A motion made by Councilman ... Councilman ... ordinance providing for application for ... together with provision for collection ... of separate meter for each building ... Reading was reconsidered and Councilman ... Councilman Little that the ordinance be tabled until the next ... This motion carried.

[illegible] of carnivals in the City of [illegible] objections was laid on the [illegible] Corporation Council t[illegible] ordinance [illegible] ask [illegible] to bring action [illegible] No [illegible], but several citizens were present [illegible] meeting. [illegible] to speak on the subject. [illegible] the provisions of [illegible] Mr. Cris. C. [illegible] city, and [illegible] Council in [illegible] to carnival [illegible] is not to lack [illegible] conditions. Mr. [illegible] J. Penley expressed the [illegible] Kiwanis Club men of Merrick.

[illegible] April 1939 taxes: [illegible] by the Surry [illegible] levied was on motion of Councilman Little, [illegible].

[illegible] on motion, seconded by Councilman Little, that Resolution [illegible] on property owned by them prior to fore[illegible] be [illegible] unanimously.

[illegible] Councilmen Jerome F. Little, W. C. Brookshire and [illegible] Council's report of all unfinished business [illegible] Council, together with a list of all committees [illegible] to make recommendations for further [illegible] Council, [illegible] dates of four following meetings, [illegible]:

[illegible] of the City Council of Asheville.

[illegible] Council of February 22nd, 1939, the [illegible] appointed to bring into the Council's report of all [illegible] the organization of the Council, together with a [illegible] any and all final reports and further to make [illegible] of the council, including a code [illegible], and

[illegible] all questions pertaining to it, [illegible]:

[illegible] Order of Business

[illegible] all regular meetings of the [illegible].

[illegible] Council.
[illegible] minutes of the previous meeting, unless dispensed with.
[illegible] communications from citizens of Asheville.
[illegible] communications addressed to the City Council.
[illegible] business.
[illegible] reports of Council Committees.
[illegible] communications from the City Manager.
[illegible] communications from the Corporation Counsel.
[illegible] business.
[illegible] matters for discussion.
[illegible] adjournment.

[illegible] meetings of the Council the transaction of business shall be [illegible] set forth in the call.

Rules of Conduct.

[illegible]'s Rules of Order, Revised, shall govern meetings [illegible] where they are applicable; and in which they are not [illegible] in conflict with the City Charter.

COMPLAINTS

[illegible] any complaint against any official or department of the [illegible] shall file a written notice thereof with the City Clerk at least [illegible] regular or special meeting of the Council to which such complaint [illegible] and no such complaint cannot be heard until the next succeeding [illegible] regular meeting of the Council.



If [illegible] to be [illegible] City [illegible] complaint shall be [illegible] by the [illegible] tions.

[illegible] of a complaint [illegible] the City [illegible] subject [illegible].

[illegible]

[illegible] ordinance shall [illegible] unless the [illegible] before [illegible] Council [illegible], the [illegible] shall have power to remove [illegible] Council [illegible] part (2) [illegible] to the [illegible] such motion [illegible] to be considered: Provided, [illegible] consent of [illegible] present, a resolution [illegible] action [illegible] Council. But [illegible] may be offered [illegible] consent of [illegible] prevent final [illegible] of the ordinance or resolution [illegible].

Any resolution or ordinance introduced [illegible] provided for [illegible] shall lie on the table until [illegible] special meeting shall [illegible] for its consideration.

Hour of Meeting.

The [illegible] regular meetings of the Council [illegible], 1939, shall be at 7:30 o'clock, p. m. [illegible] Council may decide. The [illegible] to be meeting day.

Other Rules.

All [illegible] prior rules [illegible] governing the Council and [illegible] repealed [illegible] rules shall not [illegible] to the City [illegible] shall constitute [illegible] City Council.

---

[illegible] Committee to investigate complaint of [illegible]. (Little, Miller, Penley).

Committee to investigate petition [illegible] certain water boxes (Brookshire, Little, Crow.)

Committee to look [illegible] and report at its next meeting [illegible] value of certain [illegible] sold Council. (Crow, Boyd, [illegible].)

Committee to investigate [illegible] (Miller, Brookshire, Brookshire).

Committee to have [illegible] contract [illegible] the City Hall. (Avery, Boyd, Crow.)

Committee to consider the question [illegible] (Little, Boyd, Miller.)

Committee to investigate [illegible] Brookshire [illegible]. (Wambolt, Brookshire, Boyd).

Committee to investigate [illegible] governing central [illegible] on South [illegible] Extension Project. (Miller, Brookshire, Brookshire.)

Committee [illegible] work [illegible] planning the [illegible] City Funds to be [illegible] for [illegible]. (Wambolt, Miller and City Manager, Brackney).

Committee to investigate complaint of A. A. Patton, former fireman, against Civil Service Board. (Crow.)

Offer of [illegible] for power plant purposes by [illegible]. (Read).

---

THE FOLLOWING MATTERS were referred to the City Manager for Report.

Complaint of T. E. Wright regarding tax [illegible] Hillcrest Street
Request for a 140 foot sewer connection in Roosevelt Park.
Request of L. J. Moses for transfer of certain sewer assessments.

---

application for ...ity of ...ville.

... Electrical ...spector for ...ew electrical ordinance.

... to consult in ...ially lots on Biltmore Avenue and Haywood Road.

... City ...ure's water lines in Wilwood Park.

... ...ge of ... of Aylmer Street back to Swannanoa Ave.

... ... sale Sumner A ...erson for exemption of assessment

... ...ill for .

... CORPORATION COUNCIL.

... ...ge ... carried by the City and determine

... ...ge.

... ... in acceptance of water for ...sments.

... ... contribution money for ...tal program in

... ...ject for ...ely in ...t ... from ...mination by

... ... since publication of Pannell's Code.

... ... sum for firemen and policemen.

... ... ...ssion in ... ... for ...nstruction of

... ...

... ... ... of meeting.

... ...

Respectfully submitted,
Joseph W. Little
COUNCILMAN
... G. Brookshire
COUNCILMAN
Jack Cottrell
COUNCILMAN

... ..., proposed by Councilman Little, that the ... the Corporation Counsel be authorized to ... ... by the Committee and present same at the ... Council, ... unanimously.

... ... the following report of the committee to ... ...:

... ..., Esquire, Attorney and Mr. ..., ... appointed a committee ... ... of Mr. ... being from the ... to ... ... Attorney and attach ... ... ... report.

Respectfully submitted,
Joseph W. Little
Chairman Committee.

November 10, 19...

... ...

... ... ... to the ... ... of Asheville appointed the Wachovia ...

... ... ... for the ... City of Asheville ... Chase National ... ..., 19..., to secure ... ... ... April 1, 1966, to secure ... ... ... ..., ... ... ...

✓ ... investigated the question of ... allow the city to carry its own ... not proven satisfactory in other ...

... Councilman ... that the report ... be disagreed.

✓ ... resolution authorizing the acceptance ...

✓ ... to contribute money for dental program ... the Council and acted on it.

✓ ... limit for excluding veterans from examina- ... providing that all rules should originate with the ...

... Councilman Baumberger that the report be ...

✓ ... the engineers employed since Pennell's Code ... Corporation Counsel.

✓ ... application to the State Utilities Com- ..., a conference will be held with officials ... the matter is taken up with the State ...

... Councilman Brookshire that the report ...

✓

... Councilman Little, seconded by Councilman Westall, that An Ordinance ... to regulate conditions of mattresses and other articles of bedding lie on the ... table.

... entitled An Ordinance to repeal Article 17 of Pennell's Code, the ... relating to public dance halls was on motion of Councilman Little, ... Councilman Westall on its second reading. Voting "aye" Councilmen ... Little and Westall.

... City Manager to regulate sign boards upon property ... foreclosure sales was on motion of Councilman ... ordinance offered for adoption. On being put to a vote ... being four "yea" votes and one "nay" vote.

... City Manager to regulate concessions at City Parks ..., seconded by Councilman Little unanimously adopted.

AN ORDINANCE AUTHORIZING THE CITY MANAGER TO REGULATE CONCESSIONS AT CITY PARKS.

... been the custom of the City for some years to authorize concessions ... City of Asheville; and,

... question as to whether the aforementioned function falls ... the executive or the administrative arm of the government.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ASHEVILLE:

... hereby authorized and empowered, in his discretion, ... Recreation Park, Aston Park and Morney Heights Park ... for, as in his opinion will serve the best interests



... of the people of Asheville, ... the ... the entrance of the place to be conducted, ... by the granting of such concession.

I move the adoption of the foregoing resolution.

H. G. Brookshire
COUNCILMAN

... Little:

James F. Baumberger
COUNCILMAN

... Crow, Brookshire, ... Baumberger, ...

Mike Carroll
Clerk

T. J. Thompson
CITY CLERK

APPROVED AS TO FORM:

J. L. Blackstock
CORPORATION COUNSEL.

There being no further business, the meeting, on motion, adjourned.

Mayor

City Clerk

Thursday, March 29, 1934-4:00 P. M.

The City Council met in regular session; present, Councilmen John F. Baumberger, H. G. Brookshire, Charles F. Crow, Joseph W. Little, and Jack Westall, City Manager, George L. Hackney and Corporation Counsel, C. P. Blackstock. On motion of Councilman Westall, seconded by Councilman Little, Councilman Crow was unanimously appointed Chairman. The minutes of the previous meeting were read and approved.

The claim of J. E. Beachboard, filed by T. O. Pangle, Attorney, for damages in the amount of $100.00 caused by overflow of city sewer main on Virginia Avenue backing into the basement of his home 34 Virginia Avenue was on motion of Councilman Baumberger, seconded by Councilman Little, ordered referred to the Corporation Counsel.

STATE OF NORTH CAROLINA
COUNTY OF BUNCOMBE.

To the Honorable Mayor, City Council and Manager,
of the City of Asheville, North Carolina:

Here comes J. E. Beachboard, through his Counsel and Attorney, Thomas O. Pangle, and makes formal demand upon you and hereby serves notice upon you as is provided by law therefor, for the payment to him of the sum of SEVENTY FIVE (#75.00) DOLLARS for damages sustained by him on the 27th day of March, 1934 by the overflowing of the city sewer main on Virginia Avenue in the said city of Asheville and flowing therefrom and backing into the basement of his hom located at 34 Virginia Avenue.

The damages so sustained are as follows: The refuse matters, toilet papers and sewage overflowed the basement floor of his dwelling, accumulated thereunder and is still thereunder accumulated: it damaged fruits and vegetables belonging to him stored in said basement: and damaged other property of the claimant; the fumes and odors were so abhorent, and still are, that he is compelled to move from said dwelling and seek other quarters; that his family is unable to occupy the first floor of said dwelling because of said unbearable odors and filthy conditions; and your petitioner is being put to considerable expense for moving in at least the sum of TWENTY FIVE ($25.00) DOLLARS.

WHEREFORE, the said claimant hereby makes formal demand upon you for payment for the reasons above enumerated in the sum of ONE HUNDRED ($100.00) DOLLARS.

This the 29th day of March, 1934.

T. O. Pangle
Attorney for Claimant.

Mr. J. T. Gunter representing property owners on South French Broad Avenue and vicinity, appeared before the Council and requested that a zoning ordinance be adopted

Corporation Counsel C. E. Blackstock reported a city wide zoning ordinance is being drafted and will be ready for the Council at its next meeting.

Councilman Baumberger reported the Committee to Revise the Traffic Code will be ready soon to present an ordinance regulating traffic in the city.

Mr. Mackney reported the Committee to confer with the Chamber of Commerce committee to determine if the request for donation for preliminary expenses of bringing the Thirtieth Division Reunion to Asheville could be charged to the advertising fund of the Chamber of Commerce had decided not to use this fund, but other plans had been made to raise the amount needed.

An ordinance providing for adoption of rules for guidance of Council meetings and the repeal of rules formerly adopted was on motion of Councilman Joseph W. Little, seconded by Councilman H. G. Brookshire passed on its first reading. Voting "aye" for the passage of the ordinance on its first reading: Councilmen Baumberger, Brookshire, Crow, Little and Westall.

On motion of Councilman Brookshire, seconded by Councilman Little, action on a resolution changing the hour of Council meetings from 4:30 P. M. until 7:30 P. M. was unanimously ordered deferred until the next meeting.

Councilman Joseph W. Little moved, seconded by Councilman Jack Westall that Ordinance #203- entitled An ordinance to repeal Article 17 of Pennell's Code, the same being an ordinance pertaining to public dance halls be passed on its third and final reading. Voting "aye" Councilmen Baumberger, Brookshire, Crow, Little and Westall, the ordinance was adopted to become effective the 14th day of April, 1934.

ORDINANCE #203

AN ORDINANCE TO REPEAL ARTICLE 17 OF PENNELL'S CODE, THE SAME BEING AN ORDINANCE PERTAINING TO PUBLIC DANCE HALLS.

WHEREAS, it appears that an old ordinance is now on record in the City Minutes of the City of Asheville attempting to regulate public dance halls, and

WHEREAS, there are no public dance halls in the City of Asheville as contemplated under the terms of said ordinance; and,

WHEREAS, under said ordinance schools, hotels, civic clubs and fraternal organizations are restricted and hampered by certain sections of the same, which said sections are now obsolete.

NOW, THEREFORE, THE CITY COUNCIL OF THE CITY OF ASHEVILLE DO ORDAIN:

This ordinance is an ordinance repealing Article 17 of Pennell's Code, being sections 783-807 inclusive to take effect fifteen days after date of final passage; provided this shall not in any manner repeal or alter the current special privilege tax ordinance.

I move the adoption of the foregoing ordinance, this the 15th day of March, 1934.

Joseph W. Little
COUNCILMAN

SECONDED BY: J. E. Baumberger
COUNCILMAN

Read, approved and adopted, this the 29th day of March, 1934.

Wickes Wamboldt
MAYOR

E. G. Thompson
CITY CLERK

APPROVED AS TO FORM:
C. E. Blackstock
CORPORATION COUNSEL



Ordinance # , entitled An Ordinance to make the calendar year the registration period for motor vehicles to fix the license taxes in accordance with the State Law, and to repeal ordinance #90 and 140 relating thereto, was on motion of Councilman Jack Westall, seconded by Councilman John E. Baumberger, passed on its first reading. Voting "aye" Councilmen Baumberger, Brookshire, Crow, Little and Westall.

There being no further business, the meeting, on motion, adjourned.

Mayor Wickes Wamboldt

City Clerk E. G. Thompson

State of North Carolina
Department of Archives and History
Raleigh

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# COUNCIL MINUTES

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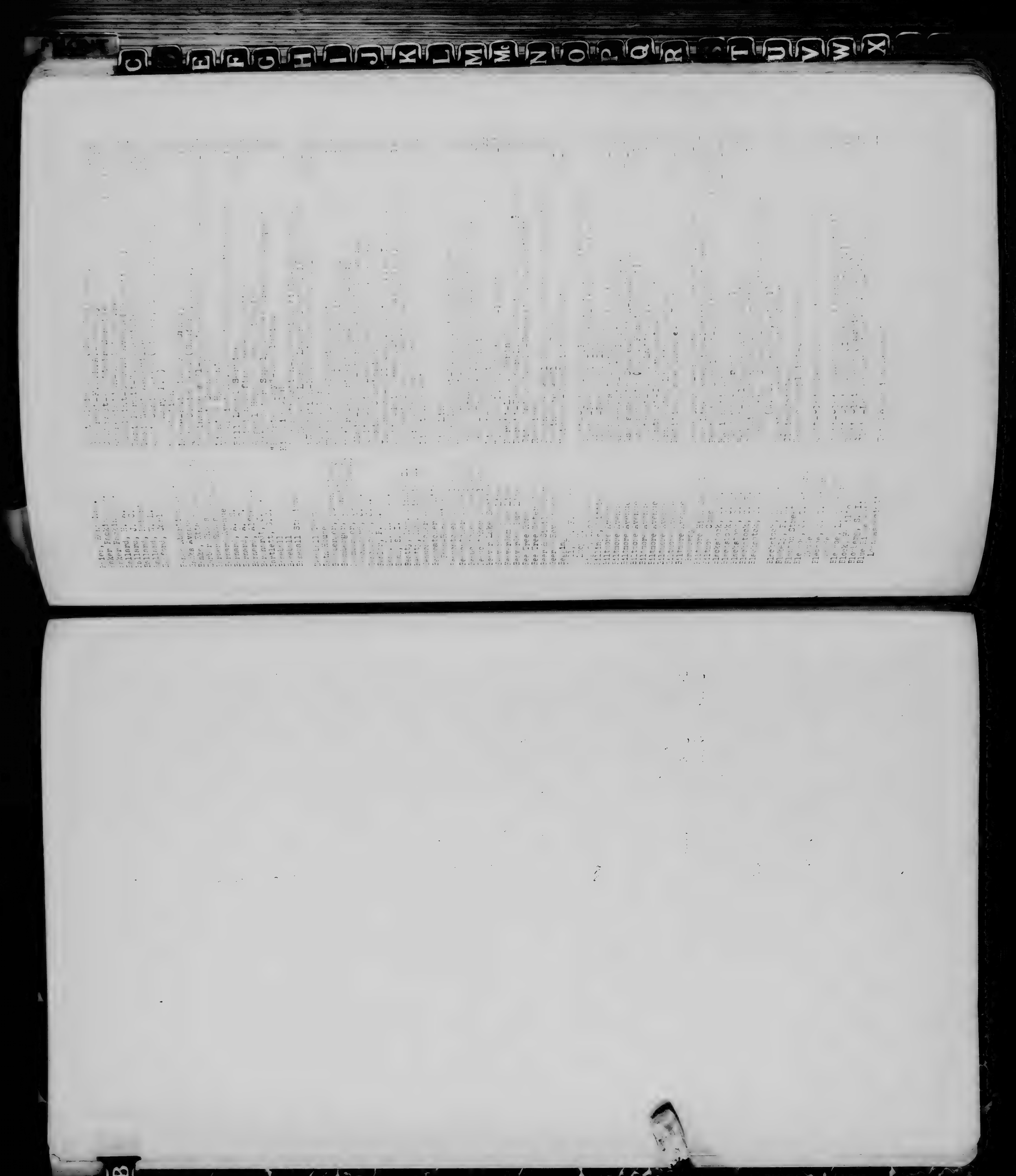

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City Councilmen
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City Hall-Lunch Counter
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City Manager
City Manager
City Official Elected
City Police Court-Assistant City Solicitor
City Police Court-Assistant City Judge
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Arrowood, Mrs. C. L. & Husband, C. L. Arrowood
Asheville Construction Co.
Asheville Construction Co.

Asheville Construction Co.
Asheville Finance Corporation

Asheville Oil Company
Ashworth, R. P.

Baier, Edna Mrs.
Bamford, Carl

Banks, Etta & Roy Morris
Beachboard, J. A.
Bean, S. I.
Bell, Wm. F. & Wife Lucy M. & Pless, C. A. & Wife, Gladys
Bledsoe, J. T. et ux, Maude
Bledsoe, J.T. et ux, Maude
Bledsoe, L. Taylor
Block, Hamilton
Blue Ridge Building & Loan Association
Board Financial Control

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Bramlet, P. H.

Brandl, A.C.
Brank, Ellen
Brooks, L. T. & J. W.
Brookshire, L. J. et ux
Buphronia, Collins, N. A. & Wife, Nannie
Brown Realty Co.
Brown, H. C. et ux Leila & Brown, E. L. et ux, Jane
Brown, H. C. et ux, Leila
Buchanan, J. C.
Buckner, W. H.
Bunyan, W.W.
Burns, John & Wife Rebecca

From (Miller, Horace) Cert.#167 468

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Calvary Baptist Church

Candler, Mamie
Capehart, Ivey, et ux
Cornelia J.
Carland, Eugene et ux Lucy
Carland, Eugene et ux Lucy &
Benland, J. C. et ux, Mary
Carr Lumber Company
Carver, A. G.
Cathey, H. H. et ux, Carrie B.
Cathey, Harmon H.
Central Investment Corporation

Chandler, W. M. (Dr ) & Geovani
Mastrangleo, Andrew Ainsworth, Jr.
City Investment Co.
City Of Asheville
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City Of Asheville
City Investment Co.
Collington, Mary Jane, Guardian
Collins & Young
Collins, Robert C. et ux Evelyn
Collins, N. A. et ux, Nannie T.
Collins, N. A. et ux, Nannie T.
Collins, N. A. et ux, Nannie T.,
Brookshire, J. L. & Wife
Connabeer Motor Co., Dills, Dora
& Dills, C. Lee
Cooper, J. M.
Craig, Geo. W. & Wife Katherine
Croll, Carolyn

Davies, P. W.

Davis, Mary
Davis, Andrew
Dickson, Isaac

Dills, Dora & C. Lee Dills,
Logan Motor Co., Connabeer
Motor Co.
Dorsett, C. T. Mrs.

Duyck, Margarett

Easton, J. W. et ux, Elizabeth
Ellerson, Elizabeth
Erwin, Horatio (Dr.)

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Fitzgerald, O. L.
Folsom, Georgia B. Mrs.
Folsom, Georgia B. Mrs.
Folsom, Georgia B. Mrs.

Foster, Pearl
Gilliam, Giles
Gilliam, Giles
Glenn, J. Frazier et ux
Eunice P. Glenn
Grand, Charles

Grant, L. F. & N. C. Holcombe
Graves Investment Co.

Green, A. B.
Green, B. E., Receiver, Blue
Ridge Bldg. & Loan Association
Griffin, Lynn W. & Wife, Edna
Grissett, E. J. et ux, Mae &
A. C. Brandl

Guard, J. et ux, Mary
Gudger, Elizabeth W.
Gullick, Anna
Hafey, Bishop
Hall, Frank C. & Julius C. Hall

Hamlin, J. R.
Hamilton, Blanche
Hampton, C. M. Mrs.
Hardland, W. J.
Harrell, Vance
Harrison, W. S. & Wife, Beulah

Harrison, W. S.
Harrison, W. S. & T. C. Smith
Haynes, M. B.
Hemphill, Bertha
Hempstead, Josephine
Hildebrand, D. S. & Sam
Justice, Executors
Hill, L. W.
Hill, L. W.
Hill, L. W.
Hill, L. W. et ux Mabel
Hipps, W. H. & Wife
Hoffman, E. C.

Holcombe, N. C. & L. F. Grant
Hollifield, Elbert
Hollifield, M. B.
House, Mike
Howell, W. P.
Iddings, Effie, C.Mrs.
Israel, F. W.

Johnston, William, Jr.
Jones, G. H.
Jones, Mrs. Katie-Estate

Jordan, H. M. & J. R.
Jordan, J. G.
Kerr, A. W.
Kilpatrick, W. F.
King, Hattie Mrs.
Kiser, C. L.
Lattimore, Martha

Laughter, Mrs. J. F.
Lawrence, J. L. et ux Myrtle
Linn, Anna L. Mrs.
Logan, Annie
Logan, Annie
Logan, W. E. Mrs.

Logan Motor Co., Connabeer Motor
Co., Dills, Dora & C. Lee
Low, J. Gorham
Luckett, E. H. et ux Annie S.
Luckett, E. H. et ux Annie S.
Luckett, E. H.
Lyerly, John A.-Estate
Mastrangleo, Geovani, Dr. W. M.
Chandler, Andrew W. Ainsworth, Jr.
Meadows Realty Co.

Meadows Realty Co.
Medford, H. W. et ux, Effie

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From (Starnes, Mrs. Theresa E.)
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To (Davis, Andrew)Cert.#6875 429
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To (Croll, Carolyn)Cert.#1192 469

(Bid In By Owner)Cert.#779 116-181
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To (Wilson, W. E.)Cert.#6495 469
From (City Of Asheville) Mrs. C. M.
Hampton-Cert.#6516 150-181
To (Duyck, Margarett)Cert.#2476 454

From (Bramlet, P. H.)Cert.#1617 458
From (Mitchell, H. P.) Cert.#2005 468

To (Board Financial Control) Cert.#1816,
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| Smith, V. J. & C. H. ( Smith Transfer Co.) | From (Easton, J. W. et ux, Elizabeth) Cert.#1152 | 454 |
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| Starnes, Geo. H.-Estate | To ( Starnes, Mrs. Theresa E.)Cert.#2715 | 468 |
| | (Bid In By Owner) Cert.#2715 | 470 |
| Starnes, Geo. H. | To (Folsom, Georgia B. Mrs.) Cert.#6754 | 399 |
| Starnes, Geo. H. | To (Folsom, Georgia B. Mrs.) Cert.#2198 | 399 |
| Starnes, Mabel F. | (Bid In By Owner) Cert.#2198 | 457 |
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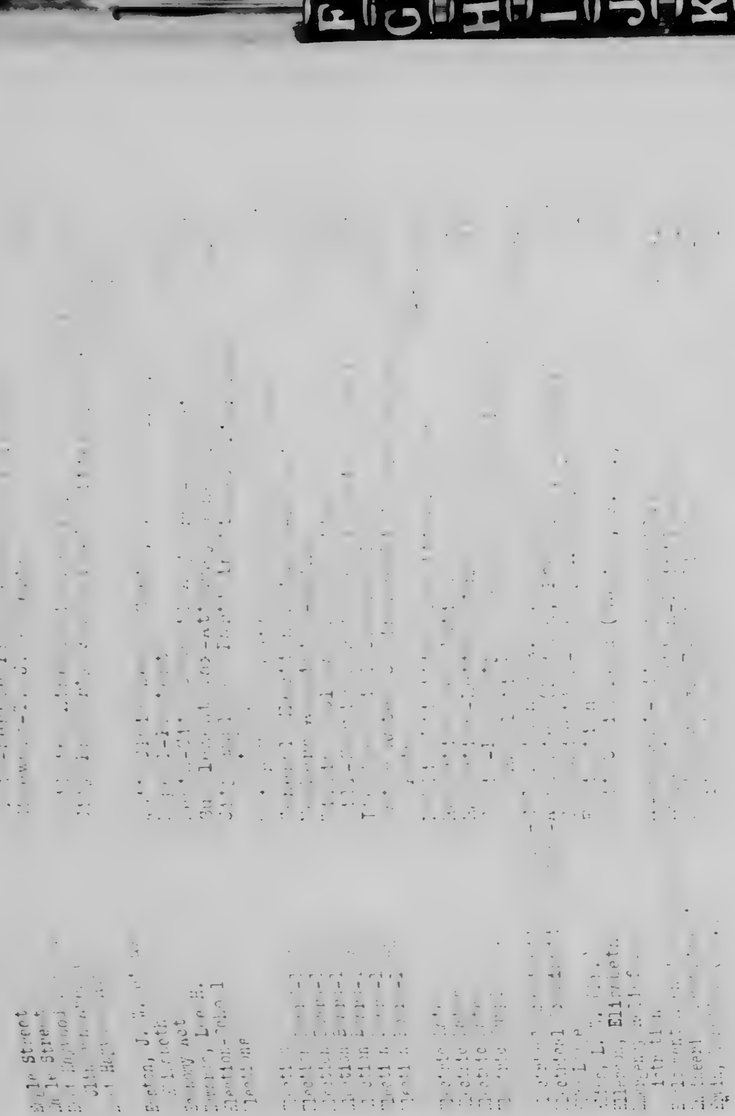

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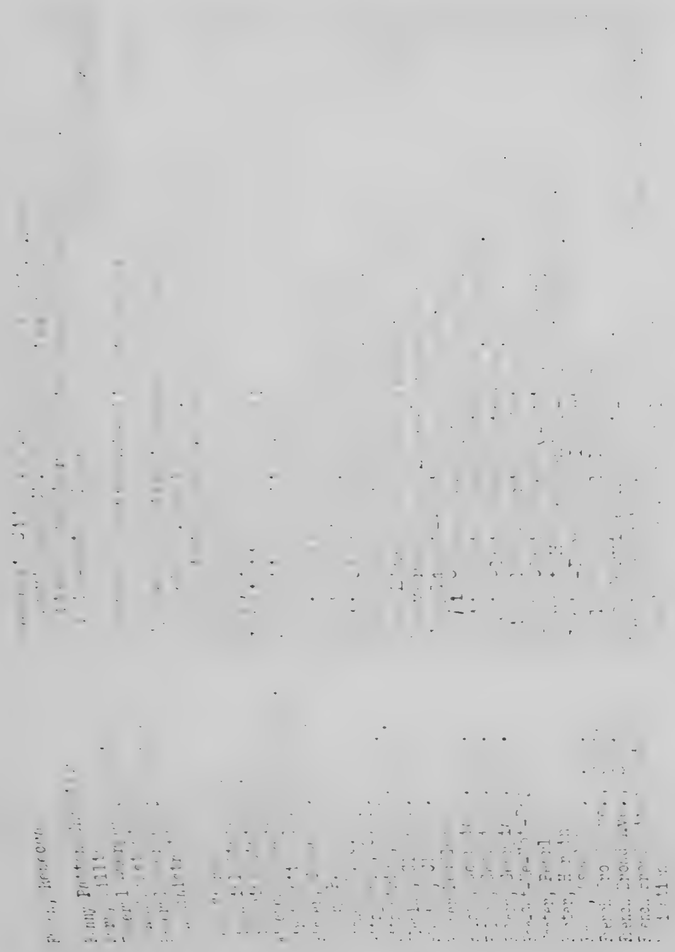

CENTRAL INTELLIGENCE AGENCY

BLOCKED

ABCDEFGH

ABCDEFGHIJKLMNOPQRSTUVWXYZ

Kenilworth
Kenilworth Golf Club
Kerr, A. H.
Kerr, David (Lang ...)
Kerr, Russell F.
Kilpatrick, W. F.
King, Mrs. Mattie
King Street
Kleen, O. L.
Knoxville Co...
Knoxville Club, Knox...

Labor Union (Central)
Labor Union (Central)
Labor Union (Central)
Labor Union (Central)
Latta, E. E., Jr.
Lattimore, Martha
Lawhorn, Mrs. J. F.
Lemaster
Lawrence, J. L.
Lawyer Department
Lease
Lease
Lease
Lease
Lease
Lee H. Edwards
Lee H. Edwards
Legislation
Legislature
Leiman, W. J.
Llewellyn, W. G.
Lexington Avenue,
Lexington Avenue,
Lexington Avenue
Library Board
Library Board
Library Board
Library, Henry
Linn, Anna L.
Little, Joseph W.
Livestock
Live Stock Yards
Local Labor Clearing House
Local Labor
Logan, Annie
Logan, Annie
Long, Mrs. W.E.
Lord Motor Co.,
Motor Co., Ltd.,
Ltd., of Ire
Lotterman
Love Searlane A.F.
Louisiana Avenue
Louisiana Avenue Property
Love, Henry W.
Love, Johnson
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Pendell Pen Oil
Pensons Hospital
Physical Examination
Walkathon
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Pritchard, C. A.
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Sayle, Edward
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School Election
School Transportation
School Of Natural Science
Seals-Sale
Seay, Chas. D.
Securities Sale
Security

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Severance, Mrs. Frederick
Sevier, Dan E. (Dr.)
Sevier, Dan E. (Dr.)
Sevier, Joseph T.
Sharp, Henry T.
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Shuford, R. E.
Shuford, R. E.
Shuford, R. E.

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Shuford, R. E.
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Sloan, O. J.
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Smith, C. W.
Smith, Frank S.
Smith, G. H.

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Smith, T.C.
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Sprinkle, L. H.
Sprinkle, L. H.

Sprouse, Robert L.
Standard Oil Company
Starbuck, V. S.
Starnes, Geo. H.-Estate
Starnes, Geo. H.

Starnes, Geo. H.
Starnes, Mabel F.
Starnes, Theresa E. Mrs.
Starnes, Theresa E. Mrs.
Starnes, Theresa E. Mrs.
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State Park
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State Sanitarium

State Street
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State Utilities Commission

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"Stone Bottle"
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Street Assessments
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Street Names
Stroup,S.R. C.
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Sub-Committee

Sub-Committee
Sudderth, J.S.
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Allen Street
Anna Street
Aylmer Avenue

Banks Avenue
Barnard Avenue
Beaucatcher Road
Beaucatcher Road
Beaucatcher Road
Beaucatcher Road Tunnel
Bee Tree Road
Biltmore Avenue
Biltmore Avenue
Biltmore Avenue
Biltmore Avenue
Biltmore Avenue
Biltmore Avenue
Biltmore Avenue
Biltmore Avenue
Biltmore Avenue &
Broadway
Blanton Street
Broadway

Broadway
Broadway

Broadway & Merrimon Ave.
Brucemont Circle
Buncombe Street
Buncombe Street

Charlotte Street
Chatham Road
Chatham Road & Daton St.
Chestnut Street-Thru St.
Clingman Avenue
Clingman Avenue &
Haywood Road
Clingman Ave. & Depot St.
College Street
College Street
College St. & Patton Ave.

Davidson Street

Deaver Street
Depot Street

Depot Street & Clingman Ave.

Eagle Street
East Haywood Road &
Clingman Ave.
East Haywood Road

French Broad Ave. South
French Broad Ave. South

Gash Street
Glendale Avenue
Gracelyn Road
Griffing Boulevard Parkway
Gulley Street

Hayes Street

Haywood Road
Haywood Road
Haywood Road
Haywood Road

Haywood Road
Haywood Road
Haywood Road
Haywood Road
Haywood Road
Haywood Road
Haywood Road & Rumbough
Place
Haywood Road, East

Haywood Road, East &
Clingman Avenue

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